



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

07/01/2013

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Coos County Plan Amendment  
DLCD File Number 001-13

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, July 12, 2013

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

\*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Jill Rolfe, Coos County  
Jon Jinings, DLCD Community Services Specialist  
Dave Perry, DLCD Regional Representative  
Katherine Daniels, DLCD Farm/Forest Specialist

<paa> YA

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

DATE STAMP: JUN 24 2013
LAND CONSERVATION AND DEVELOPMENT
For DLCD Use Only

Jurisdiction: Coos County

Local file number: AM-13-01/RZ-13-01

Date of Adoption: June 18, 2013

Date Mailed: June 21, 2013

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes Date: 3/27/13

- Comprehensive Plan Text Amendment
Land Use Regulation Amendment
New Land Use Regulation
Comprehensive Plan Map Amendment
Zoning Map Amendment
Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

The University of Oregon, Institute of Marine Biology, is requesting a rezone from Forest (F) to Commercial (C-1) and a rezone from Urban Residential (UR-2) to Commercial (C-1) on approximately 19 acres which is a portion of their property. The proposal is to allow the proper zoning for existing and proposed uses.

Does the Adoption differ from proposal? No

A portion of the area requested has a qualifier and condition in order to comply with the zoning.

Plan Map Changed from: Forest & Urban Residential to: Commercial and Q-C

Zone Map Changed from: Forest Mixed Use to: Commercial-1 and Q-C-1

Location: 63466 Boat Basin Road, CB OR 97420 T.26, R.14, S.02/02BD/02CA Acres Involved: 19

Specify Density: Previous: 80 acres New: NA

Applicable statewide planning goals:

- 1-19 checkboxes for statewide planning goals

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment.

- 35-days prior to first evidentiary hearing?
If no, do the statewide planning goals apply?
If no, did Emergency Circumstances require immediate adoption?

**DLCD file No.** \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

ODOT, OR International Port of Coos Bay, Coos Bay-North Bend Water Board, Charleston Sanitary Dist.,  
Charleston RFPD.

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Local Contact: **Jill Rolfe, Planning Director**

Phone: **(541) 396-7770** Extension:

Address: **250 N. Baxter,**

Fax Number: **541-396-1022**

City: **Coquille**

Zip: **97423**

E-mail Address: **planning@co.coos.or.us**

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## **ADOPTION SUBMITTAL REQUIREMENTS**

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:  
**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, or by emailing **[larry.french@state.or.us](mailto:larry.french@state.or.us)**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **twenty-one (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **[larry.french@state.or.us](mailto:larry.french@state.or.us)** - **Attention: Plan Amendment Specialist**.



## Coos County Planning Department

Coos County Courthouse Annex, Coquille, Oregon 97423  
Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423  
Physical Address: 225 N. Adams, Coquille, Oregon  
(541) 396-7770  
FAX (541) 396-1022 / TDD (800) 735-2900  
[planning@co.coos.or.us](mailto:planning@co.coos.or.us)  
Jill Rolfe, Planning Director

DEPT OF  
JUN 24 2013  
LAND CONSERVATION  
AND DEVELOPMENT

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Certified Mail # 7006 0100 0003 3690 4616

June 21, 2013

Plan Amendment Specialist  
Dept. of Land Conservation & Development  
635 Capitol Street NE Suite 150  
Salem, OR 97301-2540

RE: Proposed Amendment/Rezone File# AM-13-01/RZ-13-01, OIMB

Dear Plan Amendment Specialist:

Enclosed please find the DLCD Notice of Adoption with the a copy of the adopted ordinance and findings.

If you have any questions please contact the Department by phone at 541-396-7770 or e-mail [planning@co.coos.or.us](mailto:planning@co.coos.or.us).

Sincerely,

*Jill Rolfe*, Planning Director

COOS COUNTY PLANNING DEPARTMENT

ec: David Perry, DLCD  
c: File



## Coos County Planning Department

Coos County Courthouse Annex, Coquille, Oregon 97423

Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423

Physical Address: 225 N. Adams, Coquille, Oregon

(541) 396-7770

Fax (541) 396-1022/TDD (800) 735-2900

Jill Rolfe, Planning Director

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## NOTICE OF ADOPTION

June 21, 2013

Re: Coos County Planning Department File No. AM-13-01/RZ-13-01  
Application for University of Oregon (OIMB) rezone request  
County Ordinance No. 13-05-001PL

On June 18, 2013 the Coos County Board of Commissioners adopted the above-referenced Ordinance rezoning portions of the Forest and Urban Residential-2 to Commercial-1. The properties are identified as follows: Township 26S Range 14W Section 02 Tax Lot 100; Township 26S Range 14W Section 02BD Tax Lot 500; and Township 26S Range 14W Section 02CA Tax Lots 100 & 200.

The adoption of this final decision and order can be appealed to the Land Use Board of Appeals (LUBA), pursuant to ORS 197.830 to 197.845, by filing a Notice of Intent to Appeal within 21 days of the date of the final decision and order. For more information on this process, contact LUBA by telephone at 503-373-1265, or in writing at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301-2552.

All documents related to this file are available for inspection, at no cost, in the Planning Department located at 225 North Adams Street, Coquille, Oregon. Copies may be purchased at a cost of 50 cents per page.

If you have any questions pertaining to this notice or the adopted ordinance, please contact the Planning Department by telephone at (541) 396-3121 or 756-2020, extension 210, or visit the Planning Department at 225 North Adams Street, Coquille, Oregon, Monday through Friday, 8:00 AM - 5:00 PM (closed Noon - 1:00 PM).

COOS COUNTY PLANNING DEPARTMENT

Jill Rolfe, Administrative Planner

C: Planning Commission  
Dave Perry, DLCD  
Craig Young, OIMB  
Jamie Moffitt, University of Oregon  
Louise Solliday, DSL, SSNERR  
Emily Eng, Planning Associate, University of Oregon  
File



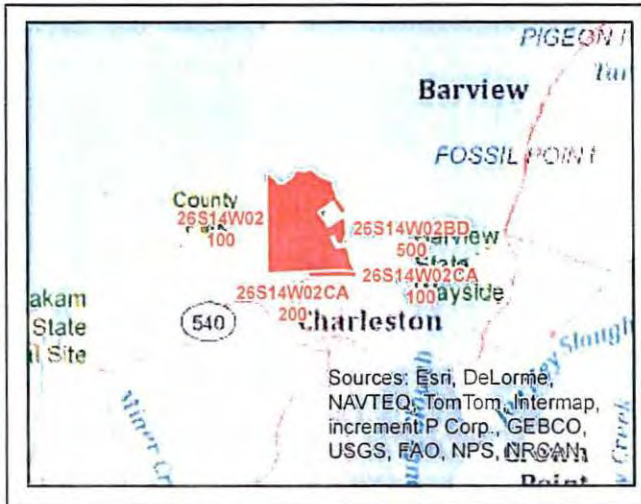
# COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423

Physical Address: 225 N. Adams, Coquille Oregon

Phone: (541) 396-7770

Fax: (541) 396-1022/TDD (800) 735-2900



File: AM-13-01

Applicant/ Owner: Jamie Moffitt -VP Finance -UO  
University of Oregon

Date: May 10, 2013

Location: Township 26S Range 14W  
Section 02/02BD/02CA  
TL 100/500/100, 200

Proposal: Rezone to Commerical (C-1) and (Q-C-1)



BOARD OF COMMISSIONERS  
COUNTY OF COOS  
STATE OF OREGON

1  
2  
3 IN THE MATTER OF AMENDING THE COOS )  
4 COUNTY COMPREHENSIVE PLAN & COOS ) ORDINANCE 13-05-001PL  
5 COUNTY ZONING & LAND DEVELOPMENT )  
6 ORDINANCE (University of Oregon, OIMB )  
7 Application) )

8  
9 This matter came before the Coos County Board of Commissioners  
10 sitting for the transaction of business on May 21, 2013, concerning  
11 amendments to the Coos county Comprehensive Plan and Coos County  
12 Zoning & Land Development Ordinance. Specifically, the Board  
13 considered an application for a plan amendment and rezone of the  
14 subject properties described as: Township 26S Range 14W Section 02 Tax  
15 Lot 100; Township 26S Range 14W Section 02BD Tax Lot 500; and Township  
16 26S Range 14W Section 02CA Tax Lots 100 & 200. The properties to be  
17 rezoned were zoned Forest and Urban Residential-2. The request was to  
18 rezone only a portion of the properties to Commerical-1.

19 WHEREAS, the application was considered by the Planning  
20 Commission at a public hearing on May 2, 2013, and following  
21 deliberation, the Planning Commission recommended the Board of  
22 Commissioners approve the proposal with a qualifier and condition of  
23 approval. The qualifier will affect the type of development located  
24 in the western portion of the Forest zoned parcel, which has been  
25 designated Q-C-1 as shown on the attached planning map. The condition

1 limits all development to be consistent with the deed of record for the  
2 University Of Oregon (OIMB);

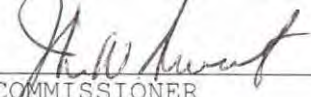
3 WHEREAS, the proposed rezoning complies with Coos County Zoning &  
4 Land Development Ordinance Section 5.1.400 criteria for rezones.

5 WHEREAS, all notices to interested property owners and interested  
6 parties have been provided pursuant to law;

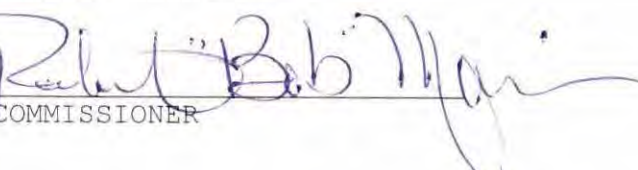
7 NOW THEREFORE, THE BOARD OF COMMISSIONERS adopts the Findings and  
8 Conclusions in Attachment "A", incorporated herein by reference which  
9 includes the map of the rezone area.

10 ADOPTED this 18~~th~~ day of June 2013.

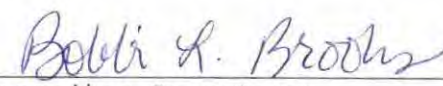
11 BOARD OF COMMISSIONERS

12   
13 \_\_\_\_\_  
14 COMMISSIONER

14   
15 \_\_\_\_\_  
16 COMMISSIONER

16   
17 \_\_\_\_\_  
18 COMMISSIONER

18 ATTEST:

19   
20 \_\_\_\_\_  
21 Recording Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_   
Office of Legal Counsel



# ATTACHMENT A

FINDINGS

APPLICATION

EXHIBITS

REZONE MAP



## Coos County Planning Department

Coos County Courthouse Annex, Coquille, Oregon 97423

Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423

Physical Address: 225 N. Adams, Coquille, Oregon

[planning@co.coos.or.us](mailto:planning@co.coos.or.us)

Jill Rolfe, Planning Director

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### COOS COUNTY PLANNING COMMISSION NOTICE OF DECISION

Re: File No. AM-13-01/RZ-1301 A request from The University of Oregon to rezone of a portion of the property that constitutes the Oregon Institute of Marine Biology (OIMB) Campus. The current zoning is Forest and Urban Residential-2. The University has had a campus in this spot since 1924, well before any zoning was acknowledged. In the 1970's and 1980's when zoning was implemented, the property where the Campus was located was zoned as Forest. The uses and activities of the Campus are not necessarily allowed in the Forest zone, but are allowed as pre-existing, nonconforming (Grandfathered) uses. The University has recently obtained an adjacent property that they wish to incorporate into the Campus. This property is zoned Urban Residential-2. Those uses and activities of the Campus are not allowed in this zoning district. A rezone to Commercial will allow the current and proposed uses to be outright permitted. OIMB's current uses are mainly research, education, faculty and student housing, associated maintenance and storage, and administrative offices. Immediate plans include expansion of the administrative offices. Right now there are no funds for extensive expansions; however, OIMB hopes to secure funding for the Charleston Coast and Ocean Center, which would add 20,000 net square feet of research space, classrooms, meeting or assembly spaces, public spaces, and associated storage.

This is an official Coos County Planning Commission Notice of Recommendation for the above-referenced application. The Planning Commission held a public hearing on May 2, 2013, and made the following decision:

- Approved without conditions
- Approved with conditions (see conditions in the attached report)
- Recommended Approval to the Board of Commissioners
- Denied

COOS COUNTY PLANNING COMMISSION

  
Joseph Cortez, Planning Commission Chairman

May 2, 2013

Date

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This is a recommendation to the Board of Commissioners. The Board of Commissioners will hear this matter on May 21, 2013 at 1:30 p.m.

The Planning Commission is recommending that the Board of Commissioners adopt staff's findings as presented in the meeting with some modification. The modifications include a condition and a qualifier. The findings have been modified in this report to incorporate the Planning Commission's recommendation.

**PLANNING COMMISSION RECOMENDATION**

The application request is to rezone the current campus and area of expansion. The Planning Commission raised some valid points at the May 2, 2013 hearing, and, after review of this matter, voted to recommend the Board of Commissioners approve this request with a qualifier that the entire property may not be utilized for all the uses ordinarily permitted in a particular zone and a condition that the property is subject to uses only allowed as consistent with the deed of record. In order to comply with Statewide Planning Goal 4 the Planning Commission took into consideration the area proposed for expansion and voted to restrict the expansion area to only allow for siting of infrastructure to support the facility. Staff has provided a map to show the area that is restricted. The other condition that the Planning Commission voted to apply to the rezone was that any new development must comply with the requirements of the current deeds. Due to the condition and qualifier the zoning that would be approved would be Q-C-1. The applicants provide some additional written testimony that is marked Exhibits 1 through 3 and is attached to this report.

**MAP NUMBER(S) / LEGAL DESCRIPTION**

ASSESSOR’S MAPS: Township 26S Range 14W Section 02 Tax Lot 100  
 Township 26S Range 14W Section 02BD Tax Lot 500  
 Township 26S Range 14W Section 02CA Tax Lot 100 & 200

**PROPERTY LOCATION**

The subject property is located southwest of the City of Coos Bay. The UR-2 zoned property is located within the Urban Unincorporated Community (UUC) of Charleston and the FMU portion of the property abuts the UUC of Charleston. The subject property is accessed off of Boat Basin Road. The subject property contains the OIMB campus.

**APPLICABLE CRITERIA**

**Coos County Zoning and Land Development Ordinance (LDO), Coos County Comprehensive Plan (CCCP), Oregon Administrative Rule (OAR)**

|     |                                    |  |
|-----|------------------------------------|--|
| LDO | §5.1.400                           | Decisions of the Hearings Body for a Rezone                |
| LDO | Appendix I, CCCP Volume I Policies | Policy 5.1 through 5.23                                    |
| OAR | 660-004-0025                       | Physically Developed Exceptions to Statewide Goals 3 and 4 |

**I. BASIC FINDINGS**

A. **Lawfully Created Parcel:** The properties are lawfully created in accordance with LDO § 3.3.800. Township 26S Range 14W Section 02CA Tax Lots 100 & 200 was created through a subdivision plat (Seaport Plat A) in 1906. Township 26S Range 14W Section 02 Tax Lot 100 was created and recorded in deed document 140/273 and Township 26S Range 14W Section 02BD, Tax Lot 500 was created and recorded in deed document 209/126.

B. **Zoning:** Township 26S Range 14W Section 02 Tax Lot 100 is split zoned Coos Bay Estuary Management Plan (CBEMP) Segments 67-Development Shorelands (67-D), 68A-Conservation Shorelands (68A-CS) and Forest Mixed Use (FMU) only a portion of the FMU zoning has been included in the rezone request.

Township 26S Range 14W Section 02BD Tax Lot 500 is zoned Forest Mixed Use (FMU). Township 26S Range 14W Section 02CA Tax Lots 100 & 200 is zoned Urban Residential-2 (UR-2).

**Current Applicable Zoning**

The purpose of the "F" district is to designate forest lands and protect them for forest uses, except where findings establish that certain limited non-forest uses may be allowed. Some of the areas covered by the "F" zone are exclusive forest lands, while other areas include a combination of mixed farm and forest uses.

The purpose of the "UR-2" district is to provide for urban residential areas that are designed to accommodate single family dwellings, mobile homes and two family dwellings. Clustered planned unit developments, including multi-family dwellings, are consistent with the objectives of the "UR-2" district. The "UR-2" district shall only be used within Urban Growth Boundaries and Urban Unincorporated Community boundaries.

**Proposed Zoning**

The purpose of the "C-1" district is:

- a. to provide for needed commercial retail and service opportunities within Urban growth Boundaries;
- b. to recognize existing commercial uses outside Urban Growth Boundaries.

C. **Site History and Description:** The Oregon Institute of Marine Biology (OIMB) campus was originally owned by the federal government. The University of Oregon (UO) has been teaching and conducting research on this land since 1924 and was deeded the property in 1932 for scientific and educational purposes. Several of the buildings have been occupied since the 1920's. UO has repaired and remodeled the existing structures and have expanded their campus over the years. UO purchased the "Hatzel" (Section 02CA Tax Lots 100 & 200) property which is developed with two homes and three accessory structures on the southern edge of the property. The plan is to rezone portions of the properties to allow for outright and future growth on the campus to be permitted.

D. **SPECIAL CONSIDERATIONS:** The property has special regulatory considerations prescribed by the CCCP. The property contains historical structures, archeological sites, significant botanical areas and floodplain. Special regulatory considerations apply to the property in case of development. This application is not proposing any new development but all of the regulatory agencies have received notice as required.

**II. FINDINGS TO THE APPLICABLE REVIEW CRITERIA**

|     |          |   |
|-----|----------|---|
| LDO | §5.1.400 | Decisions of the Hearings Body for a Rezone |
|-----|----------|---|

**SECTION 5.1.400. Decisions of the Hearings Body for a Rezone. The Hearings Body shall, after a public hearing on any rezone application, either:**

- 1. **Recommend the Board of Commissioners approve the rezoning, only if on the basis of the initiation or application, investigation and evidence submitted all the following criteria are found to exist:**
  - a. **The rezoning will conform with the Comprehensive Plan or Section 5.1.250; and**
  - b. **The rezoning will not seriously interfere with permitted uses on other nearby parcels; and**
  - c. **The rezoning will comply with other policies and ordinances as may be adopted by the Board of Commissioners.**

2. Recommend the Board of Commissioners approve, but qualify or condition a rezoning such that:
  - a. The property may not be utilized for all the uses ordinarily permitted in a particular zone; or
  - b. The development of the site must conform to certain specified standards; or
  - c. Any combination of the above.
 

A qualified rezone shall be dependent on findings of fact including but not limited to the following:

    - i. Such limitations as are deemed necessary to protect the best interests of the surrounding property or neighborhood; or
    - ii. Such limitations as are deemed necessary to assure compatibility with the surrounding property or neighborhood; or
    - iii. Such limitations as are deemed necessary to secure an appropriate development in harmony with the objectives of the Comprehensive Plan; or
    - iv. Such limitations as are deemed necessary to prevent or mitigate potential adverse environmental effects of the zone change.
2. Deny the rezone if the findings of 1 or 2 above cannot be made. Denial of a rezone by the Hearings Body is a final decision not requiring review by the Board of Commissioners unless appealed.

**SECTION 5.1.450. Status of Hearings Body Recommendation of Approval.** The recommendation of the Hearings Body made pursuant to 5.1.400(1) or (2) shall not in itself amend the zoning maps.

**FINDING:** The OIMB facility has been in existence since the 1920's but when zoning was applied to the property it was designated as Forest lands because the majority of the upper property was forested. There was no account for the future expansion of the OIMB facility. Currently, because the facility existed prior to zoning, it is considered to be a grandfathered use; however, every time the facility would like to expand they are required to go through a conditional use process. Therefore, OIMB (UO) would like to find a zoning that will allow for the continuing and potentially expanding their campus without going through multiple review steps. After reviewing all zoning classifications commercial seems to be the most viable zoning district for the current and anticipated future expansion. The applicants are only requesting the minimum area to allow for future expansion which will result in split zoning.

Currently the use is not allowed in the FMU zoning so it is considered a legal non-conforming use; therefore, it would be consistent with the CCCP to rezone the property to a designation that allows this type of use outright by changing the status of the development to a conforming use.

The rezone will not seriously interfere with permitted uses on other nearby parcels as there are many commercial uses to the south of this property in the Charleston Marina area. The majority of the FMU property will remain in the FMU zoning which will provide a buffer on the west and southwest portions of the property. The use is already established and has co-existed with other uses since the 1920's.

The current proposal will comply with the LDO and the CCCP and there are no pending policies to be adopted by the Board of Commissioners at this time.

The Planning Commission will be making a recommendation to the Board of Commissioners. Staff has reviewed the proposal in detail and has found no reasons to place qualifiers on this rezone as it will comply with the CCCP and LDO as presented. However, the Planning Commission does have the option

to place qualifiers on the rezone if they find it is necessary to make it comply with the LDO, CCCP, ORS or OAR.

|     |                                       |                         |
|-----|---------------------------------------|-------------------------|
| LDO | Appendix I, CCCP<br>Volume I Policies | Policy 5.1 through 5.23 |
|-----|---------------------------------------|-------------------------|

**5.3 Plan Implementation Strategies**

1. Coos County shall conserve those resources designated as "agricultural lands" on the Comprehensive Plan map by regulating uses and activities in such areas through requirements stipulated in the following Exclusive Farm Use (EFU) zone: The delineation of this zone shall be generally consistent with the locational criteria developed on the Agricultural Lands Inventory and Assessment. Land divisions shall comply with criteria set forth in the Coos County Zoning and Land Development Ordinance. Implementation of this strategy shall be based on application of the statutory provisions governing uses in EFU zones.
2. Coos County shall maintain programs to control stray dogs, predatory animals and noxious weeds as funds are available. This strategy shall be implemented through existing County programs and cooperation with other agencies. This strategy recognizes that such programs provide valuable services to the county's farming community.
3. Coos County shall cooperate with the National Resources Conservation Service (NRCS) and Coos Soil and Water Conservation District (Coos SWCD) and other agencies in their efforts to promote bank stabilization, preferring non-structural stabilization methods except where bank protection structures are necessary. This strategy is based on the recognition that streambank protection and stabilization are necessary to prevent the erosion of agricultural soils.
4. Coos County shall cooperate with NRCS and Coos SWCD and drainage districts in their efforts to obtain permits and to maintain funding for drainage projects on floodplain land in agricultural use (include "wet meadows" classified by the U.S. Fish & Wildlife Service as wetlands). Such drainage projects may include improvement or maintenance of existing facilities or construction of new dikes and drainage channels. This strategy recognizes that: (1) improved or well-maintained drainage facilities are essential to the most efficient use of Coos County's most productive agricultural lands, and (2) recently adopted Federal policies to protect wetlands for their wildlife habitat values are unduly restrictive in the case of seasonally flooded, diked wet meadows, because agricultural and wildlife habitat uses are thoroughly compatible in these wet meadow areas.
5. Coos County shall generally support the efforts of the NRCS, Coos SWCD, Coos Watershed Association, Coquille Watershed Association and other entities to develop water storage projects to supply additional irrigation water to improve the county's agricultural economy except where strong public opposition is presented and accompanied by documentation.

This strategy recognizes the need for additional water storage projects and that the NRCS and Coos SWCD should play a lead role in the development of such projects.

6. RESERVED
7. RESERVED
8. RESERVED

9. RESERVED

10. Coos County shall allow the establishment of single family dwellings on non-conforming lots of record in EFU zones, subject to state law.

11. RESERVED

12. Coos County shall defined development to mean: To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights of access excepting normal agricultural or forest management activities. This strategy recognizes the important distinction between resource management and the conversion of land to more intensive uses.

13. Coos County shall permit a zone change to Rural Residential (RR-5) on lots within areas designated Exclusive Farm Use (EFU) that were physically developed for non-farm use prior to the establishment of the EFU zone. The applicant for such a zone change shall bear the burden of proof that such lot meets the preceding criterion.

This strategy recognizes:

- a. the provisions of ORS 215.215, which permit this strategy, and
- b. the benefits of enabling uses on property rezoned in this manner to be considered conforming uses rather than on-conforming uses.

5.4 FOREST LANDS

Plan Implementation Strategies

1. Coos County shall conserve those resources designated as "Forest Lands" on the Comprehensive Plan map by regulating uses and activities in such areas through requirements stipulated in the forest zone ("F").

The delineation of this zone shall be generally consistent with the locational criteria developed in the Forest Lands Inventory and Assessment. Land divisions shall comply with criteria set forth in the Coos County Zoning and Land Development Ordinance.

This strategy recognizes that Coos County's forestlands are an extremely valuable resource, and that the above-referenced zones are: (1) necessary and reasonable to respond to the varying situational characteristics addressed in the inventory, and (2) adequate to conserve the County's forest lands for forest uses.

2. Coos County shall ensure that new rural residential dwellings are compatible with adjacent forest and agricultural management practices and production.

This strategy shall be implemented by requiring applicants for building and septic permits to sign a statement (to be added to the zoning clearance letter) acknowledging that the normal intensive management practices occurring on adjacent resource land will not conflict with the rural residential landowner's enjoyment of his or her property.

This strategy recognizes:

- a. that intensive forest and agricultural management practices could include herbicidal spraying, slash burning, or fertilization; and
  - b. that the potential for conflicts between resource uses and rural residential uses will be reduced by alerting prospective rural residential landowners to the fact that intensive resource management uses are expected in rural areas.
3. Coos County shall require all new residential development that is on lots, parcels or tracts within or abutting the "F" zone to agree to construct and maintain a fire-break of at least 30 feet in radius around the dwelling prior to completion of the dwelling. A fire-break is defined as an area free of readily inflammable material and may include lawns, ornamental shrubs, and scattered single specimen trees.

This strategy recognizes that these protection measures are the minimum necessary to prevent house fires from spreading to forested areas, and vice-versa.

4. Coos County shall foster sound forest management practices by supporting enforcement of the Oregon Forest Practices Act (ORS 527.610-527.730), recognizing that the Forest Practices Act (1) is designed to encourage sound forest management and to improve the forest resource, and (2) generally prohibits counties from regulating forest practices.

FINDING: The applicants have addressed all polices in Volume I of the CCCP as to their applicability. However, staff is only addressing the applicable polices and finds that the other polices do not apply to this rezone request. The applicants have made a compelling argument in this case and staff agrees. This rezone will not significantly change the amount of land in the County available for farm or forest use as the portions of the property that are part of the rezone are not currently being utilized for such uses. This area should not have been zoned for resource use as it was already committed to a commercial type use and granting the rezone will correct this zoning error.

#### 5.16 INDUSTRIAL & COMMERCIAL LANDS Plan Implementation Strategies

1. Coos County shall continuously plan for and maintain an adequate supply of commercial and industrial land, recognizing that a readily available supply of such land is the basis for a sound economic development program.
2. Coos County "an active participating member of the Coos-Curry Douglas-Economic Improvement Association (CCD-EIA), shall sanction and support the economic development efforts of that regional organization, recognizing that regional programs are best resolved by a cooperative regional economic development program" (Coos Bay Comprehensive Plan).
3. Coos County "shall support the regional economic goals and objectives periodically adopted by the Coos County Overall Economic Development Program Committee, recognizing that these regional strategies constitute a coordinated program targeted at resolving impediments to the area's economic development potential as identified by the CCD-EIA.



4. Coos County shall ensure that adequate urban commercial land is designated within cities and urban growth areas as necessary to meet future needs for urban commercial uses.

This strategy shall be implemented in two ways:

- a. through coordinated urban growth boundary negotiations with cities; and
- b. through use of the "Controlled Development" designation as a complementary device to the "Commercial" designation.

This strategy is based on the recognition:

- a. that Coos County has coordination responsibilities; and
  - b. that the Controlled Development designation is necessary and appropriate to guide land use decisions in certain urban growth areas that are experiencing a conversion of land in residential areas to commercial use.
5. Coos County shall: (1) permit limited expansion of commercial uses in Rural Centers; (2) designate existing dispersed rural commercial businesses as uses permitted outright; (3) allow neighborhood convenience stores as a conditional use in areas designated Rural Residential; and (4) permit rezoning of an appropriately sized parcel of land to "Rural Center" if it is within the recognized boundaries of an unincorporated community, and findings made that there is no suitable vacant site within the unincorporated community boundary for the proposed use. Furthermore, upon an action to approve the rezone, the county shall amend the comprehensive plan map designation to correspond to the new zone. This strategy shall be realized through implementing zoning measures. The limited area extent of some of the existing dispersed rural commercial uses shall enjoy the benefits of a plan designation as commercial. Implementation of (3) above shall include a public hearing for the purpose of considering proposed changes to the comprehensive plan map and zoning ordinance.

This strategy recognizes that: (1) commercial expansion within Rural Centers may be necessary to provide neighborhood shopping to the residents of rural centers and surrounding areas, as well as providing limited traveler services for tourists; (2) a commercial designation rather than a "Non-conforming use" designation (grandfathering) is necessary to ensure that the integrity of these existing dispersed rural commercial uses is given maximum protection; and (3) rural centers may not contain suitable vacant land for proposed uses, and that expansion of rural center is appropriate in such cases.

6. RESERVED
7. RESERVED

8. Coos County shall designate as commercial or Industrial all parcels legally established and currently in use as commercial or industrial, recognizing that a commercial or industrial designation rather than a non-conforming use designation ("grandfathering") is necessary and appropriate to give maximum protection to the integrity of existing uses.

FINDING: This property is not within an Urban Growth Boundary (UGB); however, it is with the Urban Unincorporated Community of Charleston. There are no coordinated UGB negotiations required within any city. A controlled development designation is not a requirement but a suggestion to have

some control over the conversion of residential lands to commercial uses. This is a very small amount of property proposed for rezoning in the UUC and the use is not a typical commercial development. OIMB has proposed to use some of their area for student and faculty housing as part of their facility; therefore, the applicants have satisfied these criteria. Furthermore, Plan Implementation Strategy 8 specifically allows for this type of rezone. This use is commercial in nature and the CCCP instructs the county to designate the property as commercial rather than allowing a grandfathered non-conforming use.

### 5.17 HOUSING Plan Implementation Strategies

1. Coos County shall provide zoning for adequate buildable lands and shall encourage the availability of adequate numbers of housing units for future housing needs at price ranges and rent levels, which are commensurate with the financial capability of Coos County households.

This strategy shall be implemented through: (1) appropriate Comprehensive Plan map and zoning designations, as appropriately determined to meet housing and estimates established in this plan's inventory and assessment; and (2) cooperation by Coos County with the Coos-Curry Housing Authority (CHA) in this effort to develop housing assistance programs for people with low and moderate incomes.

This strategy recognizes: (1) the lead role of CCHA in housing assistance planning; (2) each city's responsibility for assessing housing needs within its urban growth boundary (UGB); and (3) the County's responsibility for assessing housing needs within all other unincorporated areas and for coordinating the UGB housing assessments of each city.

2. Coos County shall encourage the availability of a wide variety of housing locations in urban and rural areas. For urban and urbanizable areas, this strategy shall be implemented through urban growth management agreements and appropriate coordinated land use designations. For rural areas, this strategy shall be implemented through appropriate land use designations for acreage homesites as selected and justified in the County's rural housing exception. This strategy recognizes that the selected urban and rural locations are necessary to provide flexibility in housing location.
3. Coos County shall structure its implementing zoning ordinance such that it permits: (1) mobile homes; (2) mobile homes and clustering of dwellings under a Planned Unit Development concept in most residential zones; (3) multiple family dwellings in selected locations within urban growth boundaries (UGB's); and (4) multiple family dwellings outside UGB's when part of a Recreation Planned Unit Development. This strategy recognizes that such flexibility of housing type provides greater choice and enhanced ability to meet the housing needs of the citizens of Coos County.
4. Coos County shall structure its implementing ordinance so that it allows increasing density for (from lowest to highest) acreage homesites, rural centers, and UGA's.

FINDING: The re-designation of 2.8 acres from UR-2 to C-1 will not impact the overall need for residential development. C-1 zoning does allow for certain types of residential development but is not meant to be the primary use of the property. The commercial use will be the primary use of the property and residential will be incidental by way of student and faculty housing. Therefore, the rezone is consistent with the CCCP.

## OAR 660-004-0025

## Exception Requirements for Land Physically Developed to Other Uses

- (1) A local government may adopt an exception to a goal when the land subject to the exception is physically developed to the extent that it is no longer available for uses allowed by the applicable goal. Other rules may also apply, as described in OAR 660-004-0000(1).
- (2) Whether land has been physically developed with uses not allowed by an applicable goal will depend on the situation at the site of the exception. The exact nature and extent of the areas found to be physically developed shall be clearly set forth in the justification for the exception. The specific area(s) must be shown on a map or otherwise described and keyed to the appropriate findings of fact. The findings of fact shall identify the extent and location of the existing physical development on the land and can include information on structures, roads, sewer and water facilities, and utility facilities. Uses allowed by the applicable goal(s) to which an exception is being taken shall not be used to justify a physically developed exception.

FINDING: The applicants have chosen to take an exception to Statewide Planning Goal 4 Forest Lands because the property is physically developed to the point that it cannot be utilized for resource purposes of any type. While staff agreed with the applicants' justification for this rezone the Planning Commission had some concerns about the expansion area. The expansion area would remove a small part of F zoning and change it to C-1. The Planning Commission decided that this would be appropriate only if there was a qualifier placed on this portion of the property. The qualifier is to limit development to infrastructure only in the proposed expansion area. The applicant agreed that would be appropriate.

### III. NOTIFICATION/ COMMENTS

Notification was provided as consistent with LDO Section 5.7.300. Notification was also provided on April 12, 2013, to subject property owners, property owners within 750' feet from the subject property. The notice was also provided to the following: Board of Commissioners; Dave Perry, DLCD; Thomas Guevara, ODOT; Charleston RFPD; Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians; Charleston Sanitary District; Coos Bay School District; Coos Bay-North Bend Water Board; Chris Clair, ODFW; and Oregon International Port of Coos Bay. There have been no comments received as of the date of this report. This notice of hearing was published in *The World News Paper* on April 18, 2013 to comply with the notice requirements. The mailed notice of hearing noted the wrong date of publishing but that has no bearing on this matter. *The World News Paper* provided an affidavit of publishing showing the correct date to ensure the notice requirements have been met.

### IV. SUMMARY / CONCLUSIONS

This rezone is consistent with the CCCP and the Planning Commission should recommend approval to correct the zoning on the proposed areas. The Planning Commission has recommended this rezone be approved as a qualified commercial zoning. The Board of Commissioners will review this matter on May 21, 2013 at 1:30 p.m.

C: Planning Commission  
Applicant  
File

EC: County Counsel  
John Rowe, County Roadmaster  
Dave Perry, DLCD  
Thomas Guevara Jr., ODOT  
Board of Commissioners

Attachments: Application, Exhibits, Dave Perry's letter and Map



**Coos County Planning Department**  
Coos County Courthouse Annex, Coquille, Oregon 97423  
Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423  
Physical Address: 225 N. Adams, Coquille, Oregon  
(541) 396-3121 Ext.210  
FAX (541) 756-8630 / TDD (800) 735-2900  
[planning@co.coos.or.us](mailto:planning@co.coos.or.us)  
Patty Evernden, Planning Director

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AMENDMENT/REZONE APPLICATION  
(PLEASE SUBMIT 20 COMPLETE COPIES OF THIS APPLICATION)

The following questions are to be completed in full. An application **will not** be accepted for an Amendment/Rezone without this information. The applicant should contact the Planning Department prior to filing, in order to determine a valid basis for the request. The Board of Commissioners and Hearings Body will use these answers in their analysis of the merits of the request.

PLEASE PRINT OR TYPE:

A. APPLICANT: Jamie Moffitt. Vice President for Finance & Administration- UO

Name: Applicant's Rep: Emily Eng, Planning Associate- UO Telephone: (541) 346-5606

Address: 1276 University of Oregon, Eugene, OR 97403-1276

As applicant, I am (check one):



The owner of the property;



The purchaser of the property under a duly executed written contract who has the written consent of the vendor to make such application;



A lessee in possession of the property who has written consent of the owner to make such application;



The agent of any of the foregoing who states on the application that he is the duly authorized agent and who submits evidence of being duly authorized in writing by his principal.

If other than the owner, please give the owner's name and address:

\_\_\_\_\_  
\_\_\_\_\_

B. DESCRIPTION OF PROPERTY:

26S1402-00100; 26S1402BD-00500 ("OIMB") 26S1402CA-00100 & 00200 ("Hatzel")  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot \_\_\_\_\_  
Account No. \_\_\_\_\_ Lot Size See below Zoning District Forest & Urban Residential 2  
Existing Use: OIMB- Lot 100: 102.63; Lot 500-8.31 acres Hatzel- Lot 100: 3.29; Lot 200: 0.11 acres  
OIMB: Research, education, offices, student & faculty housing | Hatzel: Residential (currently vacant)

C. STATE SPECIFIC ZONE DISTRICT REQUESTED:

We request that a portion of the OIMB property and a portion of the Hatzel property (about 19 acres total)  
be rezoned to Commercial 1 (C-1)

D. JUSTIFICATION: See narrative.

- (1) If the purpose of this rezone request is to rezone one or more lots or parcels in the interior of an exclusive farm use zone for non-farm uses, the following question must be answered:

Were the lots or parcels for which a rezone request is made, physically developed for a non-farm use prior to February 16, 1983?

Explain and provide documentation:

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(2) If the purpose of this rezone request is for other than (1) above the following questions must be answered:

a. Will the rezone conform with the comprehensive plan? \_\_\_\_\_  
Explain:

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b. Will the rezone seriously interfere with the permitted uses on other nearby parcels? \_\_\_\_\_  
Explain:

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c. Will the rezone comply with other adopted plan policies and ordinances? \_\_\_\_\_  
Explain:

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(3) If a Goal Exception is required one of the following sets of criteria must be addressed. An applicant must demonstrate that all of the standards of I, II, or III have been met.

NOTE: This information outlines standards at OAR 660-004-0025, 660-004-0028 and 660-04-0022 for goal exceptions, but is NOT to be considered a substitute for specific language of the OARs. Consult the specific Oregon Administrative Rule for the detailed legal requirements.

- I. For a "Physically Developed" Exception, OAR 660-004-0025 applies: See narrative.
- a. Findings must demonstrate that land is already physically developed to the extent that it is no longer available for uses allowed by the applicable Goal.
  - b. Findings must show:
    - The exact nature and extent of the area;
    - Extent and location of existing physical development;
    - Uses allowed by a Goal to which an exception is being taken shall not be used to justify an exception as "physically developed".

- II. For an "Irrevocably Committed" Exception, OAR 660-004-0028 applies: N/A
- a. An exception is justified under this category when "land subject to the exception is irrevocably committed to uses not allowed by the applicable Goal because existing adjacent uses and other relevant factors make uses allowed by the applicable Goals impracticable."

- b. Findings must address:
  - Existing adjacent uses;
  - Public facilities and services;
  - Parcel size and ownership patterns:
    - i) This must include an analysis of how existing parcel sizes came about. Past land divisions made without application of the Goals do not in themselves demonstrate irrevocable commitment—the County must also show some other type of development to justify commitment.
    - ii) Parcels created under the Goals cannot be used to justify commitment.
    - iii) Differing contiguous parcels under one ownership must be considered as one parcel.
    - iv) Small parcels alone do not justify commitment—parcels must be clustered in a large group and at least partially developed to justify commitment.
      - Neighborhood and regional characteristics;
      - Natural boundaries or other buffers separating the exception area from adjacent resource land;
      - Other relevant factors; and
      - Facts must support a conclusion that it is “impracticable” to apply the Goal.

III. For a “Need” or “Reasons” Exception, OAR 660-004-0022 applies: N/A

- a. Reasons must justify why the state policy embodied in the applicable Goals should not apply.
- b. It must be demonstrated that areas which do not require a new exception cannot reasonably accommodate the use.
- c. The economic, social, environmental and energy consequences resulting from the use must be shown to be not significantly more adverse than would result from the same proposal being located in another area requiring an exception.
- d. The proposed uses must be shown to be compatible with other adjacent uses or can be so rendered.
- e. Reasons showing a need for rural residential land cannot be based on market demand; and a strong connection must exist between the subject area and “existing or planned rural industrial, commercial or other economic activity.”

E. REQUIRED SUPPLEMENTAL INFORMATION TO BE SUBMITTED WITH APPLICATION:

- See Exhibits 1. A legal description of the subject property (deed);
- 2. Covenants or deed restrictions on property, if any;
- 3. A general location map of the property;
- 4. A detailed parcel map of the property illustrating the size and location of existing and proposed uses and structures on 8 ½” x 11” paper;
- N/A 5. If applicant is not the owner, documentation of consent of the owner, including:
  - a. A description of the property;
  - b. Date of consent
  - c. Signature of owner
  - d. Party to whom consent is given
- 6. The applicant must supply a minimum of 20 copies of the entire application, including all exhibits and color photocopies, or as directed by the Planning Staff.

G. Authorization:

All areas must be initialed by all applicant(s) prior to the Planning Department accepting any application.



I hereby attest that I am authorized to make the application for a conditional use and the statements within this application are true and correct to the best of my knowledge and belief. I affirm that this is a legally created tract, lot or parcel of land. I understand that I have the right to an attorney for verification as to the creation of the subject property. I understand that any action authorized by Coos County may be revoked if it is determined that the action was issued based upon false statements or misrepresentation.



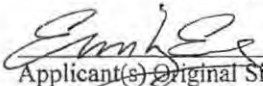
ORS 215.416 Permit application; fees; consolidated procedures; hearings; notice; approval criteria; decision without hearing. (1) When required or authorized by the ordinances, rules and regulations of a county, an owner of land may apply in writing to such persons as the governing body designates, for a permit, in the manner prescribed by the governing body. The governing body shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service. The Coos County Board of Commissioners adopt a schedule of fees which reflect the average review cost of processing and set-forth that the Planning Department shall charge the actual cost of processing an application. Therefore, upon completion of review of your submitted application/permit a cost evaluation will be done and any balance owed will be billed to the applicant(s) and is due at that time. By signing this form you acknowledge that you are responsible to pay any debt caused by the processing of this application. Furthermore, the Coos County Planning Department reserves the right to determine the appropriate amount of time required to thoroughly complete any type of request and, by signing this page as the applicant and/or owner of the subject property, you agree to pay the amount owed as a result of this review. If the amount is not paid within 30 days of the invoice, or other arrangements have not been made, the Planning Department may choose to revoke this permit or send this debt to a collection agency at your expense.




I understand it is the function of the planning office to impartially review my application and to address all issues affecting it regardless of whether the issues promote or hinder the approval of my application. In the event a public hearing is required to consider my application, I agree I bare the burden of proof. I understand that approval is not guaranteed and the applicant(s) bear the burden of proof to demonstrate compliance with the applicable review criteria.



As applicant(s) I/we acknowledge that it is in my/our desire to submit this application and staff has not encouraged or discouraged the submittal of this application.

  
Applicant(s) Original Signature

(Applicant's Rep)

  
Applicant(s) Original Signature

3/9/13  
Date

**Application Check List (for departmental use only)**

Date Received: 3/19/13 Receipt number: 148758 Fee: \$1500.00  
Application accepted by: A. Dibble File number assigned: AM-13-01/P2-13-01  
Planner assigned: LR Date deemed complete: N/A  
Scheduled PC hearing date: 5/2/13 Scheduled BC hearing dates: 5/21/13  
Ordinance # OR 13-05-001P2  
Date notice mailed to DLCD: \_\_\_\_\_ Date adoption mailed to DLCD: \_\_\_\_\_  
Other applications included: \_\_\_\_\_ Plan Map Amendment \_\_\_\_\_ Plan Text Amendment  
\_\_\_\_\_ Code Text amendment \_\_\_\_\_ Other \_\_\_\_\_  
\_\_\_\_\_ Proposal is located within:  
UGB/UCB \_\_\_\_\_ Planning area \_\_\_\_\_  
Fire District \_\_\_\_\_ A.O./Airport notification area \_\_\_\_\_  
Floodplain \_\_\_\_\_ Hazard Area \_\_\_\_\_ Wetland \_\_\_\_\_  
Wildlife Habitat \_\_\_\_\_ Riparian Habitat \_\_\_\_\_  
Historic/Arc \_\_\_\_\_  
Accurate maps and site plans \_\_\_\_\_ # of copies received \_\_\_\_\_



UNIVERSITY OF OREGON  
OREGON INSTITUTE OF MARINE BIOLOGY

# Coos County Rezone Application

Properties:  
64366 Boat Basin Drive and  
90310 Seafoam Lane  
Charleston, OR

*March 12, 2013*



UNIVERSITY OF OREGON

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## Proposal Summary

### **Introduction**

The University of Oregon requests a zone change for portions of two properties that are part of the Oregon Institute of Marine Biology (OIMB). The first property is the OIMB main campus (26S1402-00100 and 26S1402BD-00500; 64366 Boat Basin Drive). The second property, the recently acquired Hatzel property (Map 26S1402CA-00100 and 26S1402CA-00200; 90310 Seafoam Lane) is a vacant residential property adjacent to and south of the OIMB campus.

### **Context**

Both properties are located off Boat Basin Drive. To the north of the OIMB property is Coos Bay. To the west is land owned by the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. Along the northeast side of the OIMB property is a square parcel owned by the Coast Guard, which is used as housing for its personnel. To the east of the OIMB and Hatzel properties and across the street is water-dependent development that is part of the Charleston Harbor Boat Basin commercial area. OIMB's new Marine Life Center (still under construction) is also across the street. Commercial or industrial-type development exists all along Boat Basin Rd to Cape Arago Highway. There are residential homes south of the Hatzel property; the residential-zoned lots in the immediate vicinity are developed with houses on the bluff, a fair distance away from the proposed rezone area.

### **Site History**

OIMB is on land that was originally owned by the federal government. The University of Oregon has been teaching and conducting research on this land since 1924 and was deeded the property in 1932 for scientific and educational purposes. Several of the buildings that are occupied today have existed at least since the 1920s. In 1966 the UO began extensive building repairs to use the property as a year-round research facility. New buildings were added in 1985, 1999, and 2006. The building area on the OIMB campus totals about 63,000 net square feet.

The university acquired the Hatzel property in 2010. Until the acquisition, this property was used for residential purposes. Lot 200 contains two houses and three accessory buildings.

### **Rezone Request and Purpose**

The OIMB property totals 110.94 acres and is zoned Forest. The Hatzel property totals 3.4 acres and is zoned Urban Residential 2 (UR-2). Under the current zoning of Forest, OIMB's use of its property is considered grandfathered and any expansion of buildings requires an administrative conditional use permit approval. Under the current zoning of UR-2, none of OIMB's activities would be permitted outright on the Hatzel property, although activities considered "school" could be permitted conditionally.

The UO requests a portion of the OIMB property (17.6 acres) and a portion of the Hatzel property (2.8 acres) be zoned Commercial 1 (C-1). The proposed rezone area includes existing development and is on a much lower elevation than the portion of each property that would remain Forest and UR-2. There is some undeveloped acreage in the rezone area, much of which is on an extremely steep grade and not developable.

A rezone to C-1 would correct the zoning of the OIMB campus and provide a more suitable zoning designation for the former Hatzel property due to its unique location adjacent to the OIMB campus and location adjacent to C-1 zoning. The UO requests C-1 zoning because it is the only zone in Coos County in which all of OIMB's current and anticipated uses are permitted. There is currently no one use in the Coos County land use code that fully describes OIMB. In addition, such a use would not be permitted at all in a Forest zone and would unlikely be permitted outright in a residential zone. The rezone to C-1 would recognize OIMB's long and continuing presence in Coos County and allow OIMB to expand on the site as a permitted use in the future.

#### **Existing and Anticipated Uses**

OIMB's current uses are mainly research, education, faculty and student housing, associated maintenance and storage, and administrative offices. Immediate plans include a small addition of about 500 square feet to expand administrative office space. There is no funding for a major expansion immediately, but OIMB hopes to one day secure funding for the Charleston Coast and Ocean Center (a vision of the statewide Oregon Solutions Project), which would add 20,000 net square feet of research spaces, classrooms, meeting/assembly spaces, public spaces, and associated storage.

## Justification

### Coos County Comprehensive Plan, Policies, & Ordinances:

*(1) If the purpose of this rezone request is to rezone one or more lots or parcels in the interior of an exclusive farm use for non-farm uses, the following question must be answered:*

*Were the lots or parcels, for which a rezone request is made, physically developed for non-farm use prior to February 16, 1983? Explain and provide documentation:*

**RESPONSE:** Neither of the subject properties are zoned Exclusive Farm Use; therefore, this question does not apply.

*(2) If the purpose of the rezone request is for other than (1) above, the following questions must be answered:*

*a. Will the rezone conform with the Comprehensive Plan?*

**RESPONSE:** The proposed rezone will conform to the Coos County Comprehensive Plan. Below, each policy section is addressed.

#### 5.1 Citizen Involvement

**RESPONSE:** Submitting this land use application ensures citizen involvement through public notification of the Planning Commission and County Commission hearings.

#### 5.2 Land Use and Community Development Planning

**RESPONSE:** The County's consideration of this zone change request is consistent with these policies.

#### 5.3 Agricultural Lands

*(1) Coos County shall conserve those resources designated as "agricultural lands" on the Comprehensive Plan map by regulating uses and activities in such areas through requirements stipulated in the following Exclusive Farm Use (EFU) zone: The delineation of this zone shall be generally consistent with the locational criteria developed on the Agricultural Lands Inventory and Assessment. Land divisions shall comply with criteria set forth in the Coos County Zoning and Land Development Ordinance. Implementation of this strategy shall be based on application of the statutory provisions governing uses in EFU zones.*

*(2) Coos County shall defined development to mean: To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in*

*the use or appearance of land, to divide land into parcels, or to create or terminate rights of access excepting normal agricultural or forest management activities.*

*This strategy recognizes the important distinction between resource management and the conversion of land to more intensive uses.*

#### 5.4 Forest Lands

*(1) Coos County shall conserve those resources designated as "Forest Lands" on the Comprehensive Plan map by regulating uses and activities in such areas through requirements stipulated in the forest zone ("F").*

*The delineation of this zone shall be generally consistent with the locational criteria developed in the Forest Lands Inventory and Assessment. Land divisions shall comply with criteria set forth in the Coos County Zoning and Land Development Ordinance.*

*This strategy recognizes that Coos County's forestlands are an extremely valuable resource, and that the above-referenced zones are: (1) necessary and reasonable to respond to the varying situational characteristics addressed in the inventory, and (2) adequate to conserve the County's forest lands for forest uses*

*(9) Coos County shall define development to mean:*

*To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land into parcels, or to create or terminate rights of access excepting normal agricultural or forest management activities.*

*This strategy recognizes the important distinction between resource management and the conversion of land to more intensive uses.*

**RESPONSE:** The agricultural and forest policies of the Comprehensive Plan will be addressed together. Agricultural policies #1 and #12 and Forest Policies #1 and #9 apply.

The OIMB property is zoned Forest, a resource management use. The proposed rezone of a portion of the property to C-1 will not change the amount of land in the County available for farm or forest use. The proposed rezone area was already developed at the time the land was designated Forest and has never been used for farm or forest purposes. Therefore, the proposed rezone area should not have been designated as a resource management land and a rezone to C-1 would simply correct the zoning.

*(12) Coos County shall define development to mean: To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights of access excepting normal agricultural or forest management activities.*



*This strategy recognizes the important distinction between resource management and the conversion of land to more intensive uses.*

The type of development on the OIMB campus is not permitted in the Forest zone; therefore, the developed portion should not have been designated Forest. Agriculture policy #12 and Forest policy #9 support this argument because it recognizes the distinction between development and resource management.

#### 5.5 Mineral and Aggregate Resources

**RESPONSE:** The subject properties are not mineral and aggregate resource lands, and the rezone request does not propose using the properties as such; therefore, this section does not apply.

#### 5.6 Fish & Wildlife Habitat

**RESPONSE:** The properties are not listed as bird habitat, salmonid spawning, or big game range areas; therefore, this policy section does not apply.

#### 5.7 Historical, Cultural and Archeological Resources, Natural Areas and Wilderness

**RESPONSE:** The property is within the archeological area of interest of the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. The rezone request is not for the purpose of immediate development; therefore, this policy section does not apply at this time. Any future development projects will need to comply with the policies of this section.

#### 5.8 Water Resources

**RESPONSE:** The properties are connected to the public water and sewer, and the proposal does not include degrading any water resources. The properties are not listed as dam sites. Therefore, this policy section does not apply.

#### 5.9 Unique Scenic Resources

**RESPONSE:** The rezone will not impact unique scenic resources. This policy applies to areas in which the only development permitted is that related to farm and forest practices. The proposed rezone area is already developed for non-farm or forest use, and leaves the vast majority of the property with its original zoning. Therefore, this policy does not apply.

#### 5.10 Dunes, Ocean, and Coastal Lake Shorelands

**RESPONSE:** The rezone area does not include land that has any designations on the Special Considerations Map; therefore, this policy section does not apply.

#### 5.11 Natural Hazards

**RESPONSE:** Per DOGAMI, the rezone area is not in any of the Special Flood Areas of the FEMA 100-year Flood Zone; therefore, this policy section does not apply. The rezone area is within the Tsunami 1995 Regulatory Line. Any future development will need to comply with the Building Code and other applicable regulations.

#### 5.12 Air, Land, and Water Quality

5.13 Minor Estuaries

5.14 Ocean Resources

5.15 Population Projections

**RESPONSE:** The rezone request would not impact any of the above; therefore, these policy sections do not apply.

5.16 Industrial and Commercial Lands

*(1) Coos County shall continuously plan for and maintain an adequate supply of commercial and industrial land, recognizing that a readily available supply of such land is the basis for a sound economic development program.*

**RESPONSE:** The proposed rezone is consistent with this policy. While the current use is for the purposes of research and education, OIMB is a major employer and attraction in Charleston. The rezone would allow OIMB to conduct business in a way that furthers its mission and continues to attract researchers and visitors to the area.

*(4) Coos County shall ensure that adequate urban commercial land is designated within cities and urban growth areas as necessary to meet future needs for urban commercial uses. This strategy shall be implemented in two ways:*

- a. through coordinated urban growth boundary negotiations with cities; and*
- b. through use of the "Controlled Development" designation as a complementary device to the "Commercial" designation.*

*This strategy is based on the recognition:*

- a. that Coos County has coordination responsibilities; and*
- b. that the Controlled Development designation is necessary and appropriate to guide land use decisions in certain urban growth areas that are experiencing a conversion of land in residential areas to commercial use.*

**RESPONSE:** This policy relates to the Hatzel property, which is currently designated "Residential" and within the UCB, an urban growth area. While this rezone application is requesting a "Commercial" designation and not a "Controlled Development" designation, the intent is similar, but the unique circumstance of the Hatzel property's location (adjacent to the OIMB main property) makes "Commercial" a more suitable designation. Because the development on the OIMB property is grandfathered and the Comprehensive Plan supports the designation of such parcels to be commercial or industrial to protect the existing uses, C-1 makes sense for OIMB. Because the Hatzel property is under the same ownership and would function as an extension of the OIMB campus, it makes sense for the Hatzel property to be in the same zone.

In addition, there is no CD zoning in Charleston. Within the Charleston UCB there are the following zones: UR-2, C-1, 66-UW (Urban Waterfront), and 66-CA (Conservation Aquatic). All C-1 land is along Boat Basin Drive, and the location of the Hatzel property on this road indicates C-1 would be a compatible zoning designation.

Lastly, all residential land in Charleston is zoned UR-2, and there is very little land with frontage on Boat Basin Drive that is zoned UR-2 within the UCB. All other land is zoned C-1 or 66-UW. The Hatzel property may be the only parcel on Boat Basin Drive that has been developed with a single-family home. The proposed rezone would be consistent with the Comprehensive Plan because it would be following a logical order of commercial development in an area that is already mainly zoned for commercial uses.

*(8) Coos County shall designate as commercial or Industrial all parcels legally established and currently in use as commercial or industrial, recognizing that a commercial or industrial designation rather than a non-conforming use designation ("grandfathering") is necessary and appropriate to give maximum protection to the integrity of existing uses.*

**RESPONSE:** OIMB is currently a grandfathered (or non-conforming) use. After the rezone of the OIMB property from Forest to C-1, OIMB would be a permitted use, giving it maximum protection to the integrity of its activities, which play a significant statewide role in the area of marine research and related industries.

#### 5.17 Housing

These policies pertain to the rezone of the Hatzel property from UR-2 to C-1.

*(1) Coos County shall provide zoning for adequate buildable lands and shall encourage the availability of adequate numbers of housing units for future housing needs at price ranges and rent levels, which are commensurate with the financial capability of Coos County households.*

*This strategy shall be implemented through: (1) appropriate Comprehensive Plan map and zoning designations, as appropriately determined to meet housing and estimates established in this plan's inventory and assessment; and (2) cooperation by Coos County with the Coos-Curry Housing Authority (CHA) in this efforts to develop housing assistance programs for people with low and moderate incomes.*

*This strategy recognizes: (1) the lead role of CCHA in housing assistance planning; (2) each city's responsibility for assessing housing needs within its urban growth boundary (UGB); and (3) the County's responsibility for assessing housing needs within all other unincorporated areas and for coordinating the UGB housing assessments of each city.*

**RESPONSE:** The rezone of the Hatzel property from UR-2 to C-1 would not result in an exclusion of residential development. The C-1 zone permits residential uses such as single-family homes, mobile homes, and second-floor apartments in conjunction with permitted uses, as well as dormitories. The OIMB campus includes faculty and student housing and foresees possibly adding more units. While this is not private housing, the units already provided, as well as any future units, help lessen the demand on the housing in the private market. Therefore, the rezone of the Hatzel property will not decrease the availability of adequate buildable lands for housing.

*(2) Coos County shall encourage the availability of a wide variety of housing locations in urban and rural areas.*

*For urban and urbanizable areas, this strategy shall be implemented through urban growth management agreements and appropriate coordinated land use designations.*

*For rural areas, this strategy shall be implemented through appropriate land use designations for acreage homesites as selected and justified in the County's rural housing exception.*

*This strategy recognizes that the selected urban and rural locations are necessary to provide flexibility in housing location.*

**RESPONSE:** A rezone of the Hatzel property from UR-2 to C-1 would still allow for some types of residential development and of the variety that is not the traditional single-family home.

*(3) Coos County shall structure its implementing zoning ordinance such that it permits: (1) mobile homes; (2) mobile homes and clustering of dwellings under a Planned Unit Development concept in most residential zones; (3) multiple family dwellings in selected locations within urban growth boundaries (UGB's); and (4) multiple family dwellings outside UGB's when part of a Recreation Planned Unit Development. This strategy recognizes that such flexibility of housing type provides greater choice and enhanced ability to meet the housing needs of the citizens of Coos County.*

**RESPONSE:** Mobile homes are permitted in the C-1 zone as a conditional use or in conjunction with a conditionally permitted or permitted use.

#### 5.18 Public Facilities and Services

**RESPONSE:** Both properties are connected to public sewer and public water and do not propose an extension of these services; therefore, this policy section does not apply.

#### 5.19 Transportation

**RESPONSE:** The traffic assessment (Exhibit F) addressing the State's Transportation Planning Rule shows that the current use does not and the proposed future development scenario would not generate enough trips to warrant improvement to the Cape Arago and Boat Basin Drive intersection. This rezone request also does not conflict with any of the transportation policies in this section.

#### 5.20 Recreation

#### 5.21 Energy

**RESPONSE:** The rezone request would not impact any of the above; therefore, these policy sections do not apply.

#### 5.22 Urbanization

**RESPONSE:** This rezone request does not include a proposal to change the unincorporated community boundary; therefore, this policy section does not apply.

5.23 South Slough Sanctuary

**RESPONSE:** The rezone request does not involve areas zoned South Slough Sanctuary; therefore, this policy section does not apply.

*b. Will the rezone seriously interfere with the permitted uses on other nearby parcels?*

**RESPONSE:** The rezone will not seriously interfere with the permitted uses on other nearby parcels. Concerning the OIMB property, this rezone application is for the purpose of allowing the existing use to continue as a permitted use rather than a grandfathered use. The use will not change because the land was conveyed to the University of Oregon solely for scientific and educational purposes.

The Coast Guard property, the parcel under different ownership, is in the most immediate vicinity of the rezone of the OIMB property. The Coast Guard property is zoned Forest and also includes development that is grandfathered. There is commercial/industrial development across Boat Basin Drive on property zoned 66B-UW. The existing OIMB use currently does not interfere with the permitted uses on nearby parcels; therefore, it will not interfere with them after the rezone.

The rezone of the Hatzel property from UR-2 to C-1 will also not interfere with the permitted uses on other nearby parcels. OIMB main campus is to the north. Across Boat Basin Rd to the east is commercial/industrial development on property zoned 66B-UW. To the west of the rezone area is a bluff, which is under the same ownership and will remain UR-2. To the south of the Hatzel property is residential area zoned UR-2; however, the residential lots in closest proximity contain houses high on the bluff and not on the same elevation as the proposed rezone area.

Lastly, the Hatzel property is one of only three residential zoned properties that have frontage on Boat Basin Drive. All the other properties south of the Hatzel property that front on Boat Basin Rd are zoned 66B-UW or C-1 and contain commercial and/or industrial development.

*c. Will the rezone comply with other adopted plan policies and ordinances?*

**RESPONSE:** The Coos County land use code, Transportation System Plan (TSP), and Oregon Transportation Planning Rule (TPR) apply. None of the proposed rezone area is in the Coos Bay Estuary Management Plan.

No immediate development is proposed with this rezone application; therefore, any new development will comply with the land use code.

The rezone of OIMB is supported in the land use code. As stated in Section 4.1.100(A)(12) of the code, the purpose of the C-1 zone is to:

- a) *provide for needed commercial retail and service opportunities within Urban Growth Boundaries; and*
- b) *to recognize existing commercial uses outside Urban Growth Boundaries.*

The rezone will recognize the existing commercial use, the majority of which is outside the Charleston UCB. A rezone of the portion within the UCB will provide for needed space for existing and future employees.

The rezone is not in conflict with the TSP. First, the rezone application is not for the purposes of immediate development; therefore, any future development will need to comply with the TSP. The TSP identifies Cape Arago Highway as a state highway (OR 540). Average daily trips (ADT) on Cape Arago declines southward, from 9,000 in Coos Bay to 5,000 in Charleston to 1,100 at the entrance to the state parks (TSP, p. 4-2). Improvements were made to Boat Basin Drive in 2008-9 and 2011. The TSP does not specifically call out the need for future improvements to either of these roads.

Addressing the TPR, Exhibit F provides a traffic assessment of existing and future traffic impacts of OIMB to the intersection of Cape Arago Highway and Boat Basin Drive.

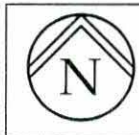
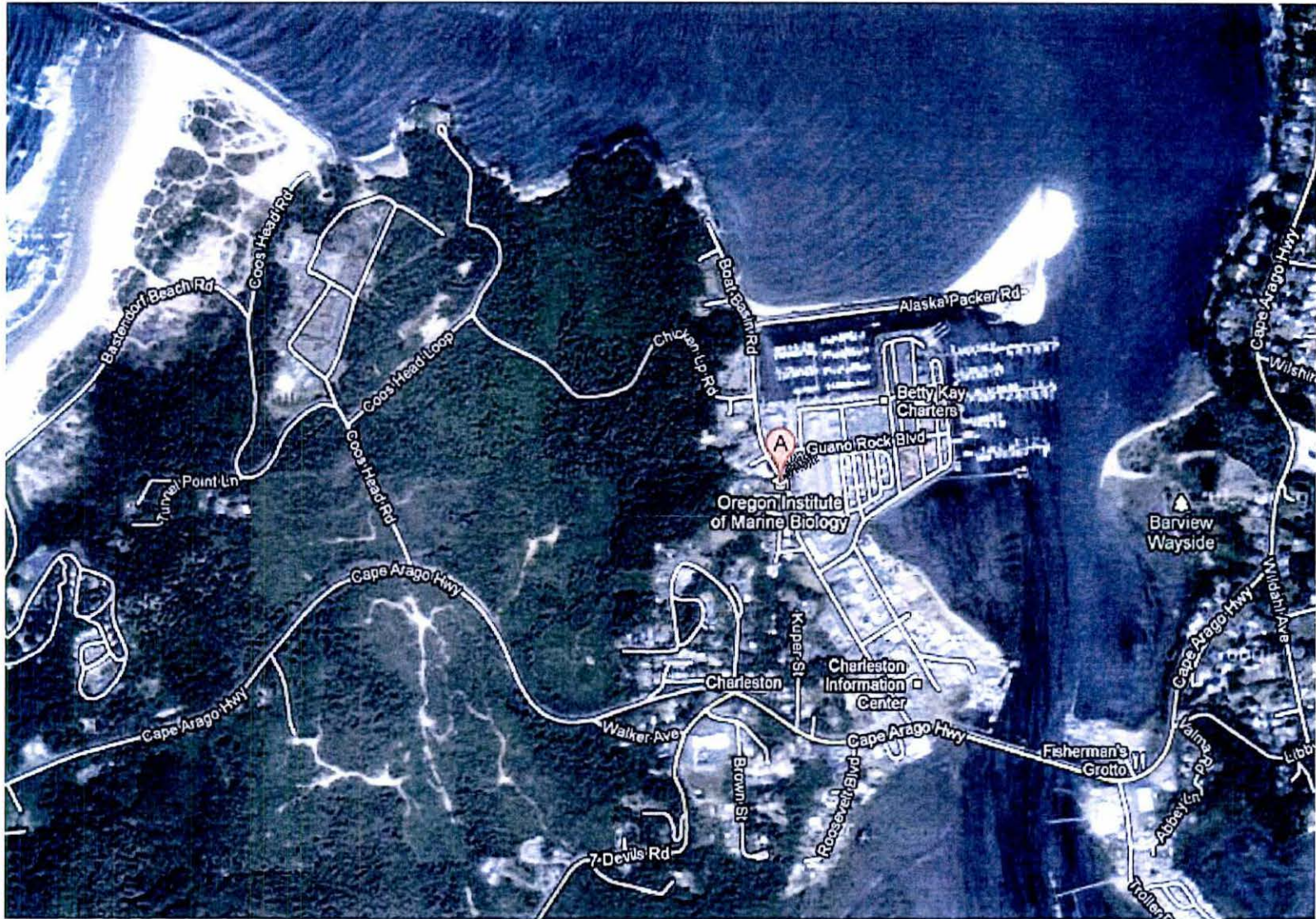
(3) For a "Physically Developed" Exception, OAR 660-004-0025 applies:

- a) Findings must demonstrate that land is already physically developed to the extent that it is no longer available for uses allowed by the applicable Goal.
- b) Findings must show:
  - The exact nature and extent of the area
  - Extent and location of the physical development
  - Uses allowed by a Goal to which an exception is being taken shall not be used to justify an exception as "physically developed."

**RESPONSE:** This land use application requests an exception to the Forest Goal for the OIMB property, which is currently zoned Forest and lies outside the UCB (unincorporated community boundary). As shown in Exhibit D (Existing Conditions Site Plan), the proposed rezone area is a campus of buildings. The rezone boundary was drawn to include the existing buildings and the seawater tank, which provides fresh seawater to the marine life studied at OIMB and is essential to the mission of the entire campus. Also included in the rezone area is space to allow for possible future development just south of the Coast Guard property. The rezone area is at a much lower elevation than the rest of the property, which will remain Forest. The areas zoned 67-CA and 67D, which are part of the Coos Bay Estuary Management Plan, will also remain.

This exception is requested for uses that are not permitted in the Forest Zone.

# EXHIBITS



3/05/13

by UO CPRE

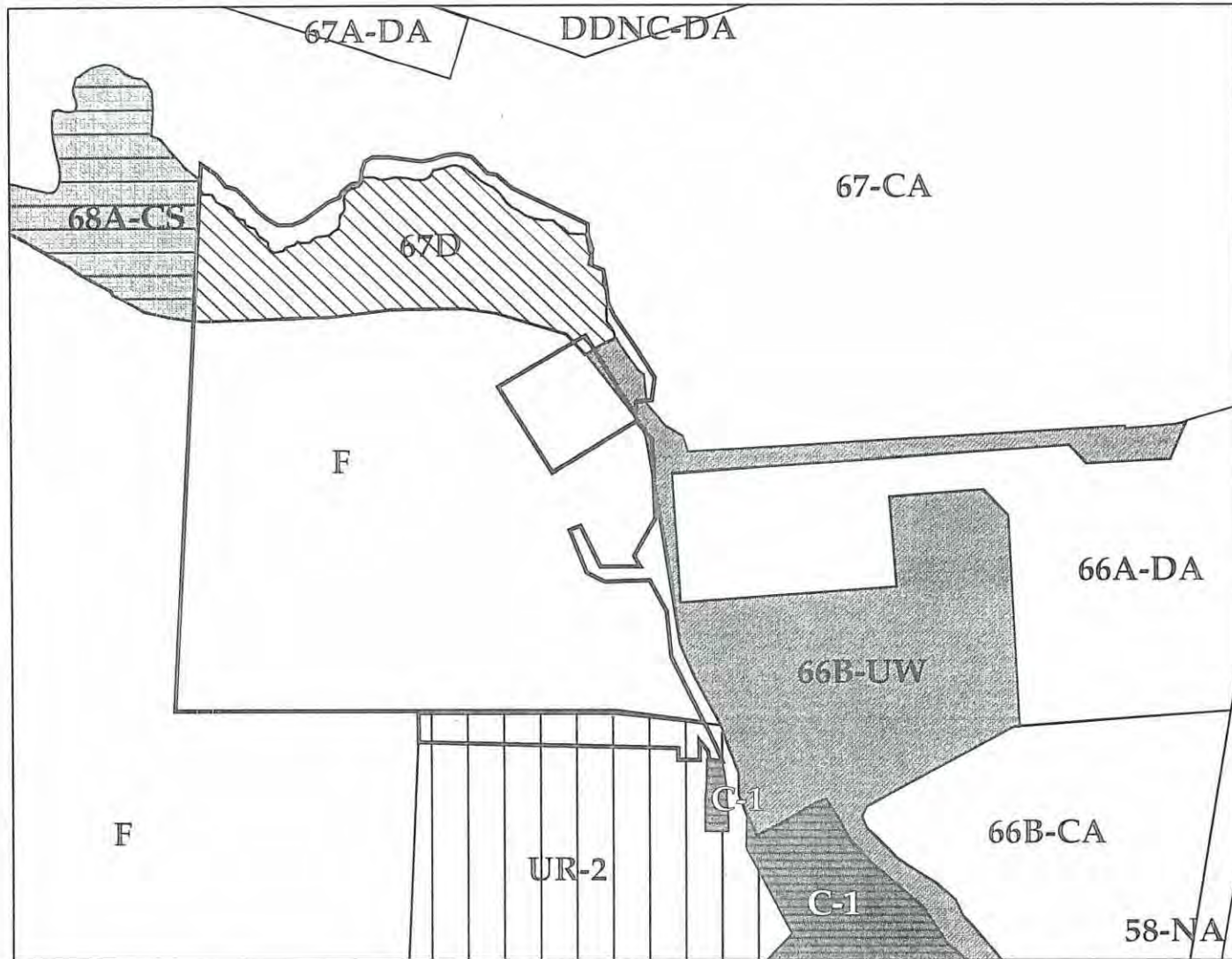
**VICINITY MAP OIMB**  
Coos County Re-Zone Application


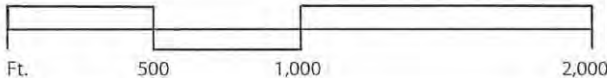
Oregon Institute of Marine Biology  
62466 Boat Basin Dr. Charleston OE, 97420

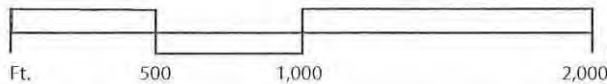
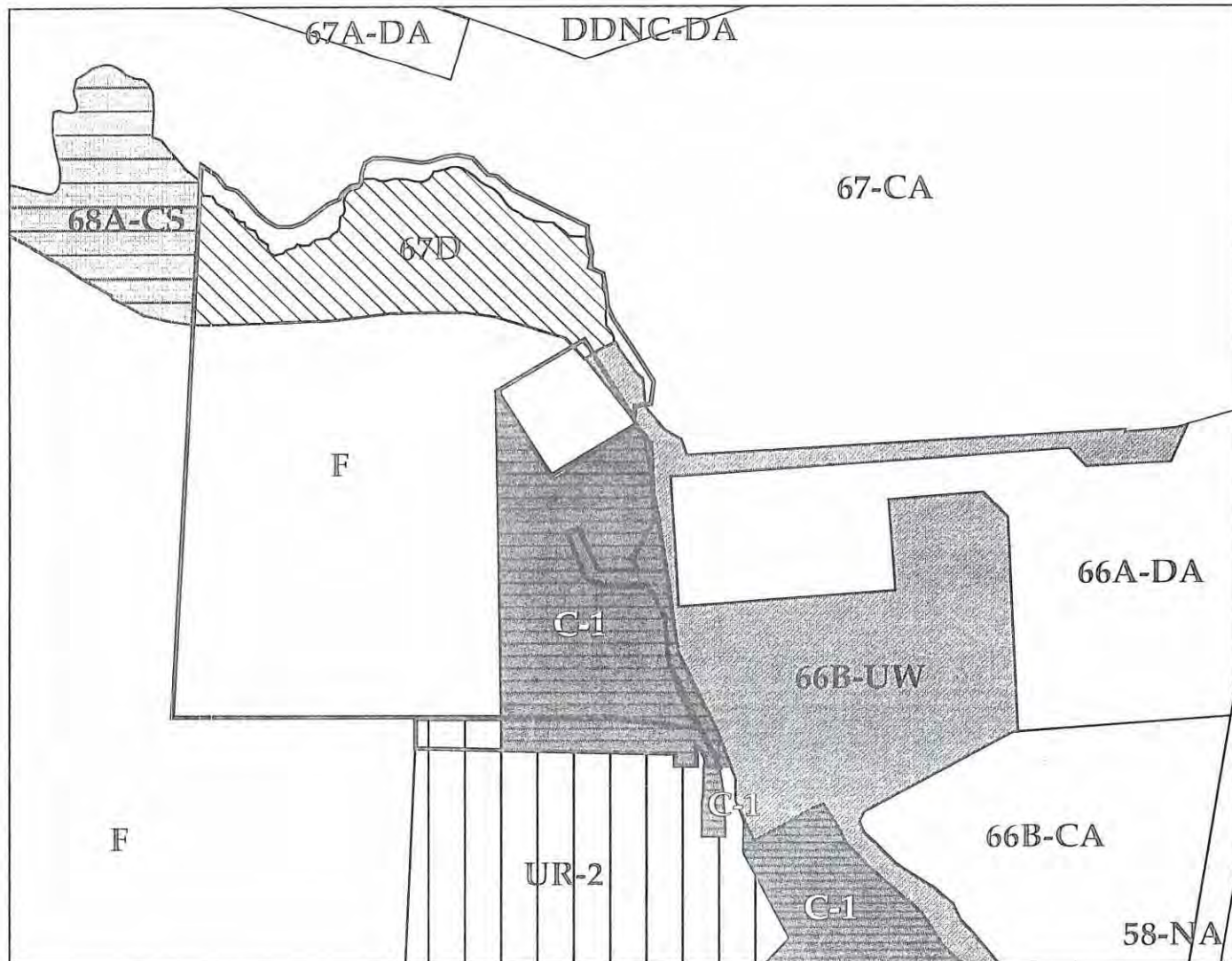
**Exhibit**

**A**





|   |   |            |          |   |                            |
|---|---|------------|----------|---|----------------------------|
|  |  | DRAWN      | 03/08/13 | <b>PROPOSED ZONING MAP</b><br><b>Coos County Re-Zone Application</b><br>Oregon Institute of Marine Biology<br>62466 Boat Basin Dr. Charelston OE, 97420 | <b>Exhibit</b><br><b>B</b> |
|   |   | by UO CPRE |          |   |                            |



DRAWN 03/08/13

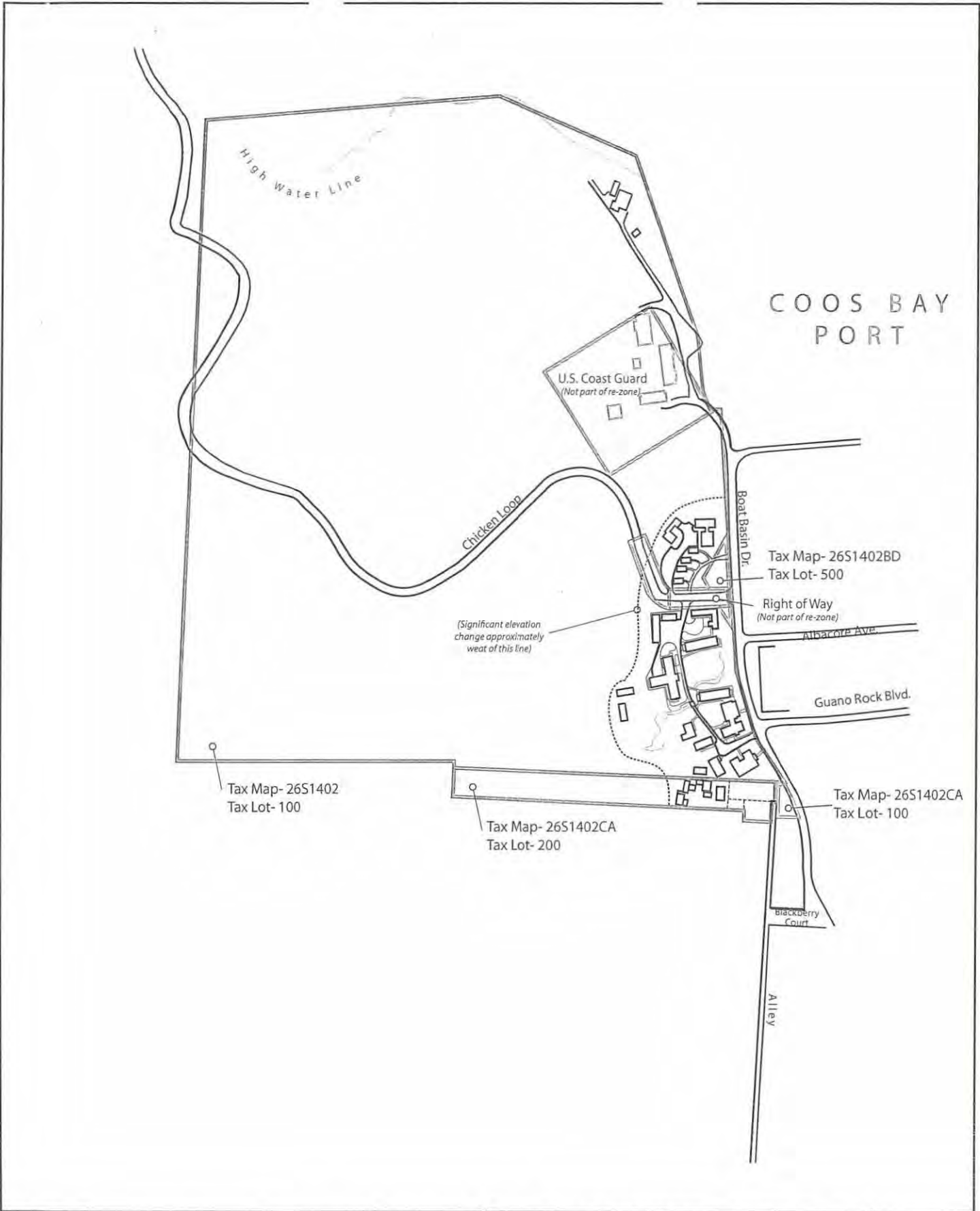
by UO CPRE


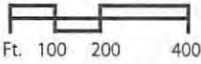
PROPOSED ZONING MAP  
Coos County Re-Zone Application

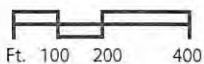
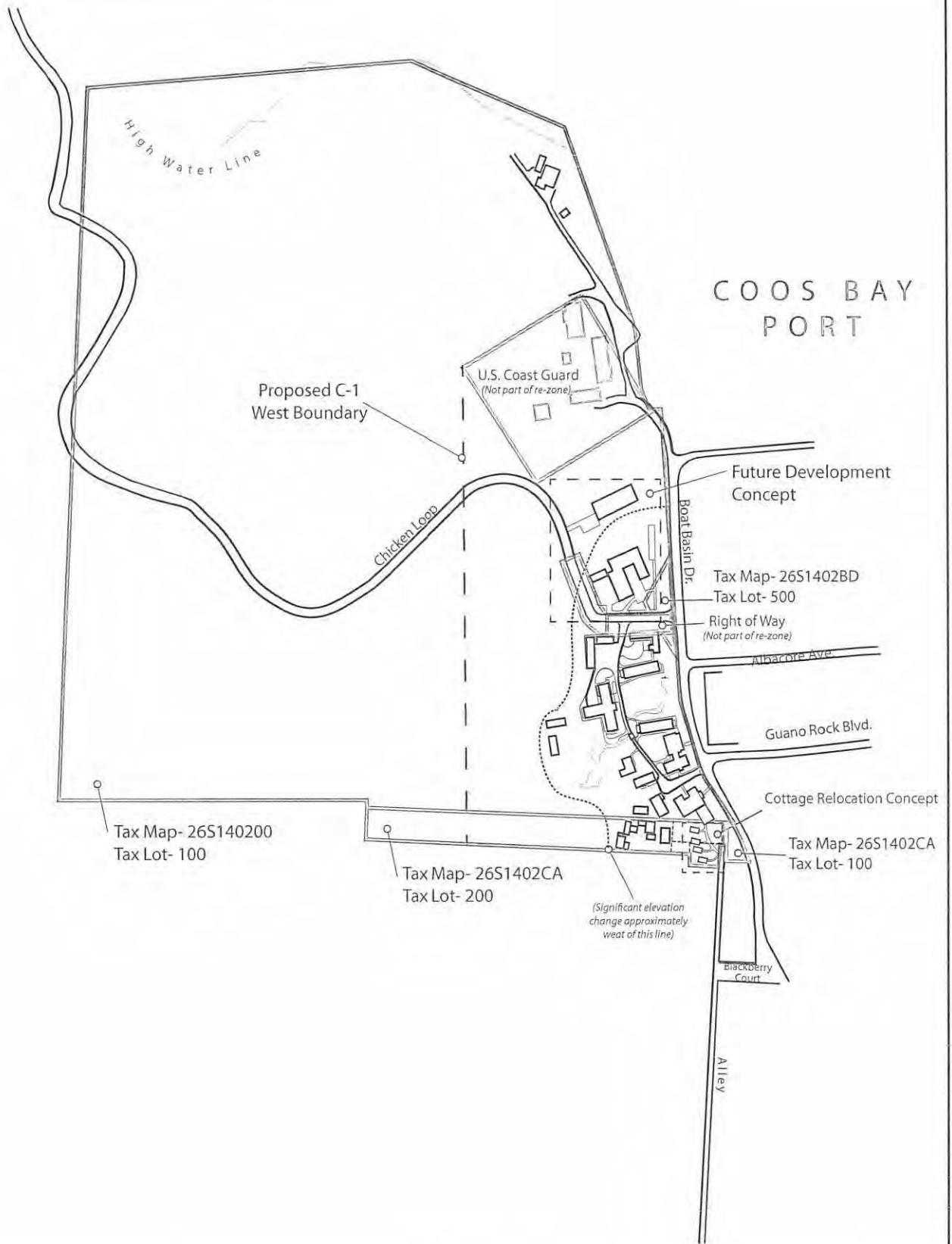
Oregon Institute of Marine Biology  
62466 Boat Basin Dr. Charelston OE, 97420

Exhibit

C



|  |   |            |          |   |                            |
|--|---|------------|----------|---|----------------------------|
|  |  | DRAWN      | 03/08/13 | <b>SITE PLAN Existing Conditions</b><br><b>Coos County Re-Zone Application</b><br>Oregon Institute of Marine Biology<br>62466 Boat Basin Dr. Charelston OE, 97420 | <b>Exhibit</b><br><b>D</b> |
|  |   | by UO CPRE |          |   |                            |



DRAWN 03/08/13

by UO CPRE

**SITE PLAN Proposed Future Development  
Coos County Re-Zone Application**

Oregon Institute of Marine Biology  
62466 Boat Basin Dr. Charelston OE, 97420

**Exhibit  
E**

# TECHNICAL MEMORANDUM



**DATE:** March 4, 2013

**PROJECT:** Oregon Institute of Marine Biology

**TO:** Emily Eng, Planning Associate  
University of Oregon

**FROM:** Damien Gilbert, P.E.  
Dan Haga, P.E.

**RE:** Transportation Planning Rule Analysis-  
Zone Change and Plan Amendment,  
Coos County



EXPIRES: 6/30/2013

In an effort to identify a potential "significant impact", as defined in the Transportation Planning Rule (TPR) under Oregon Administrative Rule 660-012-0060(1), I am supplying this memorandum summarizing the trip generation associated with the subject land use application. The Oregon Institute of Marine Biology facilities currently exist as a grandfathered use in Coos County. The applicant is seeking to change the zoning and plan designation to allow the site to be a permitted use and to allow for lawful future expansion of the existing uses of the site.

## Existing Conditions

The Oregon Institute of Marine Biology campus is located on tax lot 100 of tax map 26-14-02-00; and 200 of 26-14-02CA. The University of Oregon acquired tax lot 200 in 2010, which is adjacent to and south of the Oregon Institute of Marine Biology Campus. The subject property totals over one hundred acres and features sloping terrain with some level area. The site is accessed via Boat Basin Drive (a local roadway) in the unincorporated community of Charleston in Coos County. The site is currently developed with multiple structures that include research labs, libraries, offices, classrooms and student housing, in addition to other uses. Overall the site is utilized as a research and learning facility by the University of Oregon. The existing onsite structures consist of approximately 63,000 square feet of floor area. The current zoning of the land consists of Forest (F), Coos Bay Estuary Management Plan (CBEMP)-Development Shorelands (67-D), CBEMP-Conservation Shorelands (68A-CS), CBEMP Urban Water Dependent-(66-UW), CBEMP Conservation Aquatic (67-CA) and Urban Residential (UR-2). The applicant seeks to rezone approximately 19 acres of the property zoned for forest and urban residential uses that most of the existing onsite buildings are constructed on.

The Oregon Institute of Marine Biology has been in operation in its current location since 1924, which was before Coos County zoning ordinances were created that discontinued the existing use as a conforming use. Reasonable worst case existing and proposed zoning land use development

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scenario comparisons are required by transportation planning rule analysis to determine if a proposal to change land use permissions with different zoning and comprehensive plan designations would have a significant impact on transportation infrastructure over the existing use designation's potential. A reasonable worst case development scenario typically implies that a most likely maximum trip generation potential that a site could reasonably support, given the site location, neighborhood and travel character among other factors. Since the existing zoning was implemented after the existing research facility was established (OIMB has been in this location since 1924), the existing uses were considered the reasonable worst case existing zoning development scenario.

### **Proposed Rezoning and Potential Development**

The proposed change in zoning and comprehensive plan designation will allow the existing site's uses to continue as permitted uses and allow the site to forego administrative conditional use permit applications with less complication and increased flexibility in future development scenarios. The proposed change of zoning and use permissions and the site's existing uses are most accurately described by the commercial (C-1) zoning district, therefore, the applicant seeks to change the zoning and comprehensive plan designation of approximately 19 acres of land from forest (F) and urban residential (UR-2) to a commercial (C-1) designation. The proposed commercial (C-1) district zoning designation of the site would be consistent with adjacent property to the southeast. Please refer to the main land use application/narrative for more information.

Because the site's use was lawfully established prior to existing land use ordinances that made the site's uses non-conforming and because the University of Oregon intends to continue research facility operations on the site throughout the planning horizon and otherwise foreseeable future, the reasonable worst case trip generation potential of the existing and proposed zoning designations were analyzed as a research facility. The proposed change in allowable land use and development permissions will allow the university to develop additional area for expansion of the existing use. The University of Oregon has identified a future development scenario that includes approximately 20,000 square feet of additional floor space for new buildings to be constructed on the site.

### **Trip Generation**

To project trip generation for the existing and proposed land use designations, a reference was made to Trip Generation, 8<sup>th</sup> Edition, published by the Institute of Transportation Engineers (ITE). The research and development land use (ITE code 760) was considered the most applicable land use in the existing and proposed zoning and development conditions.

The following table summarizes the differences in site generated traffic from the proposed change in zoning from F and UR-2 to C-1:

| <b>TRIP GENERATION</b>          |                      |              |            |  |                             |              |
|---------------------------------|----------------------|--------------|------------|--|-----------------------------|--------------|
| <b>Land Use</b>                 | <b>Land Use Code</b> | <b>Units</b> | <b>QTY</b> | <b>Period<br/>(Daily/PM<br/>PK HR)</b> | <b>Rate<br/>(trips/KSF)</b> | <b>Trips</b> |
| <b>EXISTING CONDITIONS</b>      |                      |              |            |  |                             |              |
| Research and Development Center | 760                  | KSF          | 63         | PM PK HR                               | 1.07                        | 68           |
| Research and Development Center | 760                  | KSF          | 63         | Daily                                  | 8.11                        | 511          |
| <b>INCREMENTAL INCREASES</b>    |                      |              |            |  |                             |              |
| Research and Development Center | 760                  | KSF          | 20         | PM PK HR                               | 1.07                        | +22          |
| Research and Development Center | 760                  | KSF          | 20         | Daily                                  | 8.11                        | +163         |
| <b>PROPOSED CONDITIONS</b>      |                      |              |            |  |                             |              |
| Research and Development Center | 760                  | KSF          | 83         | PM PK HR                               | 1.07                        | 89           |
| Research and Development Center | 760                  | KSF          | 83         | Daily                                  | 8.11                        | 674          |

As shown in the table, the expansion of the existing use as a research facility to allow an additional 20,000 square feet of floor area could create a demand for 22 additional PM peak hour trips and 163 daily trips.

**Existing Transportation system**

Branch Engineering performed a PM traffic count at the intersection of Boat Basin Road and Cape Arago Highway on October 4, 2012. This area is considered a coastal destination with high seasonal variations in traffic. The traffic count revealed a peak hour traffic volume of 534 entering vehicle trips during the 4:00 PM to 5:00 PM period. An expansion of the existing site uses with an increase of 22 PM peak hour trips to the intersection would be less than (<) a five (5) percent increase over the existing approach traffic volume. In traffic operations, a traffic volume fluctuation of ten percent is typically considered acceptable day-to-day variation. The daily trip generation increase of 163 trips is similarly not likely to be above the daily traffic fluctuation, and is not going to change the existing functional classification of any of the roadways. Therefore, the daily and PM peak hour trip generation increases associated with the zoning re-designation proposal and potential future expansion of the existing uses were not considered to be significant or create significant impacts on existing transportation system.

## Conclusion

In summary, the most likely potential site generated traffic associated with the rezoning of land that allows existing uses to be in conformance with planned uses and expansion of the site's existing uses as a research facility with the proposed C-1 Zoning will not have a significant effect on the transportation system. Therefore, Goal 12 is satisfied as there is no significant impact to a transportation facility by causing a facility to perform below its intended mobility standard or causing a failing facility to be further degraded beyond the potential impacts under the existing zone, as was demonstrated by the site's potential trip generation increase when compared to acceptable daily fluctuations in traffic.

Please do not hesitate to contact me with any questions, or if I can provide any additional assistance.



An Act Authorizing the Secretary of War to convey to the University of Oregon certain lands forming a part of the Coos Head River and Harbor Reservation.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, That the Secretary of War is authorized and directed to convey by quitclaim deed to the University of Oregon, State of Oregon, subject to the conditions hereinafter specified, the following described part of the Coos Head River and Harbor Reservation situated on the south shore of the entrance to Coos Bay in Coos County, Oregon:

All of lot 2, the westerly seven hundred and fifty feet of lot 3, all of lot 1 except the west three hundred feet thereof, and all of the southwest quarter northwest quarter, except the west three hundred feet thereof, all in section 2, township 26 south, range 14 west, Willamette meridian., in the county of Coos, Oregon; excepting therefrom the parcels of land released to the Treasury Department by letter from the Assistant Secretary of War, dated April 24, 1913, and more particularly described as follows: Site for station buildings beginning at a point north forty-one degrees thirty minutes west one thousand three hundred and seven feet from the southeast corner northwest quarter of section 2, township 26 south, range 14 west, Willamette meridian; thence north thirty-three degree fifteen minutes west four hundred feet; thence west thirty-three degrees fifteen minutes south four hundred feet; thence south thirty-three degrees fifteen minutes east four hundred feet; thence east thirty-three degrees fifteen minutes north four hundred feet to the point of beginning, and containing three and six hundred and seventy-three one-thousandths acres; also a site for life boat house commencing at a point seven hundred and seventy-five feet north thirty-three degrees fifteen minutes west from the starting point of site and the station grounds; thence running west thirty-three degrees fifteen minutes south one hundred and fifty feet; thence south thirty-three degrees fifteen minutes east two hundred and twenty-five feet; thence east thirty-three degrees fifteen minutes north one hundred and fifty feet; thence north thirty-three degrees fifteen minutes west two hundred and twenty-five feet to the point of beginning, and containing seven hundred and seventy-four one thousandths of an acre.

Sec. 2. The lands herein authorized to be conveyed shall be used by the University of Oregon solely for scientific and educational purposes subject, however, to the right of the United States, in case of war or other emergency, to assume control of, hold, use, and occupy said lands or any part thereof for any and all military, naval, or other governmental purposes, and subject at all times to the rights of the United States stated in section 4 hereof. The deed executed by the Secretary of War under the provisions of section 1 of this Act shall contain the express condition that if the University of Oregon shall at any time attempt to alienate said lands that same shall revert to the United States.

Sec. 3. The provisions of the Act entitled "An Act authorizing the Secretary of War to grant the use of the Coos Head Military Reservation, in the State of Oregon, to the cities of Marshfield and North Bend, Oregon, both being municipal corporations, for park purposes, "approved August 21, 1910, and of any permit granted by the Secretary of War under such Act, shall not apply to the lands herein authorized to be conveyed, after the date of such conveyance, nor shall such Act or permit apply to the unconveyed part of lot 3 after the day of this Act.

Sec. 4. The lands herein authorized to be conveyed to the University of Oregon shall at all times be subject to the right of the United States to occupy and use such part thereof as are now or may hereafter be needed for jotty site or sites, for rights of way for tramways from the unconveyed part of lot 3 to such harbor work; and the United States shall at all times have prior right to three-fourths of the natural flow of streams draining lots 2 and 3.

Approved March 3, 1931.

QUITCLAIM DEED - U. of O. TRACT #60

KNOW ALL MEN BY THESE PRESENTS

That I, F. H. PAYNE, ACTING SECRETARY OF WAR OF THE UNITED STATES, pursuant to and acting under the authority contained in the Act of Congress approved March 3, 1931 (46 Stat. 1506), entitled: "An Act Authorizing the Secretary of War to convey to the University of Oregon certain lands forming a part of the Coos Head River and Harbor Reservation", subject to the conditions hereinafter specified, do hereby remise, release and forever quitclaim unto the UNIVERSITY OF OREGON, STATE OF OREGON, all the right, title and interest of the United States in and to the following described part of the Coos Head River and Harbor Reservation, situated on the south shore of the entrance to Coos Bay in Coos County, Oregon:

All of lot 2, the westerly seven hundred and fifty feet of lot 3, all of lot 1 except the west three hundred foot thereof, and all of the southwest quarter northwest quarter, except the west three hundred foot thereof, all in section 2, township 26 south, range 14 west, Willamette meridian, in the county of Coos, Oregon; excepting therefrom the parcels of land released to the Treasury Department by letter from the Assistant Secretary of War, dated April 24, 1913, and more particularly described as follows: Site for station buildings beginning at a point north forty-one degrees thirty minutes west one thousand three hundred and seven feet from the southeast corner northwest quarter of section 2, township 26 south, range 14 west, Willamette meridian; thence north thirty-three degrees fifteen minutes west four hundred feet; thence west thirty-three degrees fifteen minutes south four hundred feet; thence south thirty-three degrees fifteen minutes east four hundred feet; thence east thirty-three degrees fifteen minutes north four hundred feet to the point of beginning, and containing three and six hundred and seventy-three one-thousandths acres; also a site for lifo boat house commencing at a point seven hundred and seventy-five feet north thirty-three degrees fifteen minutes west from the starting point of site and the station grounds; thence running west thirty-three degrees fifteen minutes south one hundred and fifty feet; thence south thirty-three degrees fifteen minutes east two hundred and twenty-five feet; thence east thirty-three degrees fifteen minutes north one hundred and fifty feet; thence north thirty-three degrees fifteen minutes west two hundred and twenty-five feet to the point of beginning, and containing seven hundred and seventy-four one-thousandths of an acre.

The lands herein conveyed shall be used by the University of Oregon solely for scientific and educational purposes subject, however, to the right of the United States, in case of war or other emergency, to assume control of, hold, use, and occupy said lands or any part thereof for any and all military, naval or other governmental purposes, and shall at all times be further subject to the right of the United States to occupy and use such parts thereof as are now or may hereafter be needed for jetty site or sites, for rights of way for tramways from the unconveyed part of Lot No. 3 to such jetty site or sites, and for ingress and egress by persons engaged in river and harbor work; and the United States shall at all times have prior right to three-fourths of the natural flow of streams draining Lots Nos. 2 and 3.

This conveyance is made upon the express condition that if the University of Oregon shall, at any time, attempt to alienate said lands the same shall revert to the United States.

IN WITNESS WHEREOF the United States of America has caused these presents to be signed and executed and the seal of the War Department to be hereunto affixed by the Acting Secretary of War this 18th day of January, 1932.

UNITED STATES OF AMERICA

By F. H. Payne  
Acting Secretary of War.

Signed and sealed in presence of:

L. S. Gorow

A. C. Lanigan

UNITED STATES OF AMERICA )  
DISTRICT OF COLUMBIA )

SS

On this 18th day of January, 1932, personally came before me Frank M. Hoadley a Notary Public in and for said District F. H. Payne, Acting Secretary of War of the United States to me personally known to be the identical person who executed the foregoing instrument on behalf of the United States of America and acknowledged that he freely and voluntarily signed and sealed that same as Acting Secretary of War of the United States and purposes therein mentioned.

In testimony whereof I have hereunto set my hand and seal the day and year above written.

Frank M. Hoadley  
Notary Public in and for the  
District of Columbia

My Commission Expires:

June 24, 1935

I hereby certify that the within instrument was filed for record Feb. 3, 1932 at 10:30 A. M. and recorded in book 116 of Deeds on page 202, Coos County DEED Records.

Robert R. Watson, County Clerk  
A. H. Bender, Deputy

Space above this line for Recorder's use.

After recording, return to:  
University of Oregon  
Attn: Business Affairs Office  
P.O. Box 3237  
Eugene, OR 97403-0237

Send tax statements to:  
(same)

002396  
AFTER RECORDING  
RETURN TO  
Ticor Title Insurance  
300 West Anderson Ave - Box 1075  
Coos Bay, OR 97420-0233

**WARRANTY DEED**  
(ORS 93.850)

Hugo Hatzel, Grantor, conveys and warrants to the State of Oregon, acting through the State Board of Higher Education on behalf of the University of Oregon, Grantee, the following described real property, together with all improvements thereupon:


See attached Exhibit A

free of encumbrances except easements, encumbrances, restrictions and conditions of record, and such other encumbrances as are specifically set forth herein (none).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

The true consideration for this conveyance is \$ 550,000.00.

Dated this 06 day of August, 2010.

  
\_\_\_\_\_  
Hugo Hatzel, Grantor

STATE OF OREGON        )  
                                  ) ss:  
COUNTY OF COOS        )

This instrument was acknowledged before me on August 6, 2010, by Hugo Hatzel.

Denise Mateski  
Notary Public for Oregon  
My Commission Expires: 10-27-10



EXHIBIT A  
Legal Description

Parcel I:

Beginning at the Northwest corner of the NE 1/4 of the SW 1/2 of Section 2, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; thence South 92.5 feet; thence East, parallel to the North boundary of the NE 1/4 of the SW 1/4 of Section 2 a distance of 1070.0 feet; thence North 32.5 feet to a point on the South boundary of Seafoam Avenue in the Townsite of Seaport, Coos County, Oregon; thence West along the South line of said Seafoam Avenue 60.0 feet; thence North 60.0 feet to a point on the North line of the said NE 1/4 of the SW 1/4 of Section 2; thence West 1010.0 feet to the point of beginning, together with any portion of the vacated Seafoam Avenue, which was vacated by Order recorded April 19, 1950, in Book 198, Page 365, Deed Records of Coos County, Oregon, which would inure thereto by reason of the vacation thereof.

ALSO:

Beginning at a point 60.0 feet South and 250 feet West of the iron pipe at the center of Section 2, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; thence South 72.0 feet; thence East 100 feet; thence North 72.0 feet to a point on the South boundary of the above mentioned Seafoam Avenue; thence West along the said line of Seafoam Avenue 100.0 feet to the point of beginning, being a portion of the NE 1/4 of the SW 1/4 of Section 2, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, together with any portion of the vacated Seafoam Avenue, which was vacated by Order recorded April 19, 1950, in Book 198, Page 365, Deed Records of Coos County, Oregon which would inure thereto by reason of the vacation thereof.

Parcel II:

Lots 1 and 2, Block 1, Townsite of Seaport, Plat "A", Coos County, Oregon, except any portion embraced in the County Road, together with any portion of the vacated Seafoam Avenue, which was vacated by Order Recorded April 19, 1950, in Book 198, Page 365, Deed Records of Coos County, Oregon, which would inure thereto by reason of the vacation thereof.

Parcel III:

That portion of the SW 1/4 of Section 2, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, more particularly described as follows:

Beginning at the South 1/4 corner of said Section 2; thence North 2 41' 16" East 2568.37 feet to a 5/8 inch iron rod, said iron rod being South 2 41' 16" West 54.94 feet from the center of said section; thence North 82 09' 17" West 137.11 feet to a 5/8 inch iron rod on the Westerly right of way line of Broadway Avenue, said point being the true point of beginning for this description; thence continuing North 82 09' 17" West 362.77 feet to an intersection with the East-West centerline of Section 2 and the North line of the SW 1/4 of said section; thence North 88 35' 34" West 788.01 feet, more or less, along said East-West centerline to the true center West 1/18 corner; thence South 2 40' 27" West 27.24 feet, more or less, along the West line of the NE 1/4 of the SW 1/4 of said Section 2 to the East - West centerline of said section as monumented and referenced per Coos County Survey Map No. 20B9; thence South 87 21' 47" East 1126.91 feet along said line monumented per Coos County Survey Map No. 20B9 to the Westerly right of way line of Broadway Avenue; thence North 30 52' 01" West 14.03 feet on said Westerly right of way line to the true point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon, acting by and through the State Board of Higher Education on behalf of the University of Oregon, as set forth in instrument recorded January 6, 1986, bearing Microfilm Reel No. 86-1-0059, Records of Coos County, Oregon.

ALSO EXCEPTING THEREFROM any portion lying within the boundaries of County Road.

**CERTIFICATE OF APPROVAL OF CONVEYANCE  
(ORS 93.808)**

THE STATE OF OREGON, acting through the State Board of Higher Education on behalf of the University of Oregon, hereby approves and accepts, pursuant to ORS 93.808, the conveyance by warranty deed from Hugo Hatzel to the State of Oregon of the real property described in the deed to which this Certificate is attached.

DATED this 18 day of August, 2010.

State of Oregon, acting by and through  
the State Board of Higher Education on  
behalf of the University of Oregon

By: [Signature]  
Name: James L. Francesconi  
Title: Vice President

ACKNOWLEDGMENT

STATE OF OREGON )  
  ) ss.  
County of Multnomah

This Instrument was acknowledged before me on this 17 day of August, 2010, by James L. Francesconi, as the Vice President and an authorized representative of the State Board of Higher Education, acting under authority granted to him by the Board.



[Signature]  
Notary Public for Oregon  
My Commission expires 5-17-2014




CERTIFICATE OF APPROVAL OF CONVEYANCE  
(ORS 93.808)

THE STATE OF OREGON, acting through the State Board of Higher Education on behalf of the University of Oregon, hereby approves and accepts, pursuant to ORS 93.808, the conveyance by warranty deed from Hugo Hatzel to the State of Oregon of the real property described in the deed to which this Certificate is attached.

DATED this 17 day of August, 2010.

State of Oregon, acting by and through  
the State Board of Higher Education on  
behalf of the University of Oregon

By:   
Name: Ryan Hagemann  
Title: Secretary

ACKNOWLEDGMENT

STATE OF OREGON            )  
  ) ss.  
County of Multnomah )

This Instrument was acknowledged before me on this 17<sup>th</sup> day of August, 2010, by Ryan Hagemann, as the Secretary and an authorized representative of the State Board of Higher Education, acting under authority granted to him by the Board.



  
Notary Public for Oregon

My Commission expires May 8, 2014



April 30, 2013

Dear Members of the Coos County Planning Commission:

On behalf of the University of Oregon, thank you for the opportunity to provide testimony for Oregon Institute of Marine Biology's re-zone application.

As you know, OIMB has been a longtime member of the Charleston community. The proposed rezone area is physically developed and has been in use by OIMB since the 1920's. The existing location is critical to OIMB's educational and research mission and the zoning designation of Forest does not fit with the long existing use. A re-zone to Commercial-1 would help OIMB continue its work to its full potential, ensuring its contribution to the economic and cultural fabric of the County and State.

The Coos County Land Use Code supports the re-zoning of an existing commercial use outside of Urban Growth Boundaries to a commercial zone in order to "give it maximum protection to the integrity of its activities." As demonstrated in the application, a re-zone to C-1 would correct the zoning of the OIMB campus and provide a more suitable zoning designation to the former Hatzel property due to its unique location adjacent to OIMB and C-1 zoning.

Offering the only undergraduate degree in marine biology in the Pacific Northwest and housing world-class research, OIMB is a crucial asset to the State of Oregon. For this reason and because the application meets the re-zone criteria, I urge you to recommend approval of this application to the County Board of Commissioners.

Sincerely,

Jamie Moffitt  
Vice President for Finance and Administration & CFO

VICE PRESIDENT FOR FINANCE AND ADMINISTRATION

1283 University of Oregon, Eugene OR 97403-1283 T 541-346-3003 F 541-346-6614 [www.uoregon.edu](http://www.uoregon.edu)

*An equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act*

Exhibit 1  
Date: 5/2/13



# Oregon

John A. Kitzhaber, MD, Governor

Department of State Lands  
South Slough National Estuarine  
Research Reserve  
P.O. Box 5417  
61907 Seven Devils Road  
Charleston, Oregon 97420  
(541) 888-5558  
FAX (541) 888-5559  
www.southsloughestuary.org

May 2, 2013

Jill Rolfe, Planning Director  
Coos County Planning Department  
125 N. Baxter  
Coos County Courthouse Annex  
Coquille OR 97423

State Land Board  
John A. Kitzhaber, MD  
Governor

Kate Brown  
Secretary of State

RE: File # AM-13-01/RZ-13-01

Ted Wheeler  
State Treasurer

Dear Director Rolfe:

On behalf of the South Slough National Estuarine Research Reserve (SSNERR) I support the staff recommendation to approve the rezone to C-1 for the Oregon Institute of Marine Biology (OIMB) campus in Charleston as requested by the University of Oregon (UO), and urge the Coos County Planning Commission to adopt the planning staff recommendation. SSNERR offices have been located on the OIMB campus since the 1990s.

We agree with the staff analysis that supports rezoning the area where the campus is located to commercial. The OIMB campus has been at its current location since the 1920s. The land that the campus occupies is not forested, and as such cannot be used for forest purposes as identified in Oregon's land use statutes and rules. Under the UO request the resource lands associated with the campus would remain zoned forest. The rezoning will not interfere with other permitted uses in the surrounding area given the large commercial developments located nearby.

Thank you for the opportunity to comment. We look forward to a favorable decision on this application.

Sincerely,

Louise Solliday  
Acting Manager

cc: Craig Young, OIMB Director

Exhibit 2  
Date: 5/2/13



# UNIVERSITY OF OREGON

May 2, 2013

Jill Rolfe, Director  
Coos County Planning Department  
250 N. Baxter  
Coos County Courthouse  
Coquille, OR 97423

Dear Jill,

Thanks to you and the Planning Board for considering our application to rezone a portion of the Oregon Institute of Marine Biology campus. If approved, this rezone will correct a long-standing problem and facilitate future expansion and change on this dynamic facility, which represents the University of Oregon's influence on the Oregon Coast. Most of the land belonging to the University is appropriately zoned forest, and there is no plan to change this use or to expand the built-out portions of our facility into the forested areas. Our forest land will continue to be used as a natural wildlife preserve where members of the public are welcome to hike and enjoy the views. That portion of the OIMB property for which rezoning is proposed has mostly been in use for research and teaching purposes ever since the property was conveyed to the University from the federal government in 1931. Buildings had been constructed on the developed portion even earlier, beginning with a Coast Guard station in 1914, facilities for constructing the south jetty in 1925, and a CCC camp during the great depression. Thus, the developed parts of the property proposed for rezoning have not actually been used for "forest" functions for more than a century.

The university has recently added a small parcel (the "Hatzel property") to their holdings and it is this addition of residential property that motivates a rezone at this time. The property was acquired in partnership with the South Slough National Estuarine Research Reserve and it is expected that future uses of this land might include office space, research space, or additional short-term housing for visiting scientists and students. The present designation would not permit extension of these existing University functions onto the newly acquired property.

Although there are no immediate plans for further construction on the OIMB campus, there is a long-term plan designated by the Governor as an Oregon Solutions Project, to construct new research and office facilities to be shared by ODFW (which has woefully inadequate space on our campus already), the South Slough Reserve, and possibly other organizations. The planning process for this facility involved a large number of local and regional stakeholders and was convened by state legislators Joanne Verger and Arnie Roblan. We do not know when or if funding will be obtained for this project, but the rezone is an important preliminary step that we hope to have resolved far in advance. Thanks for your careful consideration of our request.

Sincerely Yours,

Craig M. Young  
Professor of Biology and OIMB Director

OREGON INSTITUTE OF MARINE BIOLOGY

PO Box 5389 · Charleston OR 97420 · (541) 888-2581 · Fax (541) 888-3250

An equal opp

Exhibit  
Date:

3  
5/2/13

ultural diversity  
Act

## Jill Rolfe

---

**From:** Perry, Dave [dave.perry@state.or.us]  
**Sent:** Tuesday, April 30, 2013 12:05 PM  
**To:** Jill Rolfe  
**Subject:** AM-13-01/RZ-13-01, Univ Oregon Institute of Marine Biology

Jill

I have participated in the pre-application conferences with the County and University staff for the above referenced proposal. The proposed amendment would change the planning and zoning of the University of Oregon Marine Biology (OIMB) facility and grounds (19 ac) in Charleston from the present Forest and Residential designations to Commercial. The OIMB property contains several buildings, with a total floor area of 63,000 sq. ft. Much of the development on the property was built between 1920 and 1966, prior to zoning regulations. Other buildings were added between 1985 and 2006; permitted as conditional uses. The property is within the Charleston Urban Unincorporated Area and is fully served by sanitary and municipal water services.

The purpose of the proposed amendments is to match the historic use and development of the property with mapped designations in the Coos County Comprehensive Plan and zoning code. The new zoning boundaries would encompass the existing developed area and adjacent areas that are planning for future development of the OIMB campus.

We have reviewed the proposed changes and offer our support for planned amendments. This map change would recognize the historic use and development of the OIMB campus and would provide for future expansion of the OIMB facilities in Charleston.

Thank you for the opportunity to participate in this proposed amendment. If I can be of assistance, please call or respond to this e-mail.

**Dave Perry** | South Coast Regional Representative  
Community Services Division | Coastal Services Center  
Oregon Dept. of Land Conservation and Development  
810 SW Alder Street, Suite B | Newport, OR 97365  
Office: (541) 574-1584 | Cell: (541) 270-3279 | Fax: (541) 574-4514  
[dave.perry@state.or.us](mailto:dave.perry@state.or.us) | [www.oregon.gov/LCD](http://www.oregon.gov/LCD)

**File No:**  
AM-13-01/RZ-13-01

**Applicant:** University of Oregon (OIMB)

**Exhibit Log**

| <b>Date Received</b> | <b>EXHIBIT #</b> | <b>Description</b>   | <b># OF PAGES</b> |
|----------------------|------------------|--|-------------------|
| 5/2/13               | 1                | Letter from Jamie Moffitt  | 1                 |
| 5/2/13               | 2                | Letter from Louise Solliday  | 1                 |
| 5/2/13               | 3                | Letter from Craig M. Young, Professor of Biology and OIMB Director | 1                 |
|                      | 4                |  |                   |
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|                      | 20               |  |                   |



April 30, 2013

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Sincerely,

Jamie Moffitt  
Vice President for Finance and Administration & CFO

VICE PRESIDENT FOR FINANCE AND ADMINISTRATION

1283 University of Oregon, Eugene OR 97403-1283 T 541-346-3003 F 541-346-6614 [www.uoregon.edu](http://www.uoregon.edu)

An equal-opportunity, affirmative act

Exhibit 1  
Date: 5/2/13

and compliance with the Americans with Disabilities Act



# Oregon

John A. Kitzhaber, MD, Governor

Department of State Lands  
South Slough National Estuarine  
Research Reserve  
P.O. Box 5417  
61907 Seven Devils Road  
Charleston, Oregon 97420  
(541) 888-5558  
FAX (541) 888-5559  
www.southsloughestuary.org

May 2, 2013

Jill Rolfe, Planning Director  
Coos County Planning Department  
125 N. Baxter  
Coos County Courthouse Annex  
Coquille OR 97423

State Land Board  
John A. Kitzhaber, MD  
Governor

Kate Brown  
Secretary of State

RE: File # AM-13-01/RZ-13-01

Ted Wheeler  
State Treasurer

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Sincerely,

Louise Solliday  
Acting Manager

cc: Craig Young, OIMB Director

Exhibit 2  
Date: 5/2/13





# UNIVERSITY OF OREGON

May 2, 2013

Jill Rolfe, Director  
Coos County Planning Department  
250 N. Baxter  
Coos County Courthouse  
Coquille, OR 97423

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Sincerely Yours,

A handwritten signature in black ink, appearing to read "Craig M. Young".

Craig M. Young  
Professor of Biology and OIMB Director

OREGON INSTITUTE OF MARINE BIOLOGY

PO Box 5389 · Charleston OR 97420 · (541) 888-2581 · Fax (541) 888-3250

An equal opportunity  
Exhibit  
Date:

cultural diversity  
Act

## Jill Rolfe

---

**From:** Perry, Dave [dave.perry@state.or.us]  
**Sent:** Tuesday, April 30, 2013 12:05 PM  
**To:** Jill Rolfe  
**Subject:** AM-13-01/RZ-13-01, Univ Oregon Institute of Marine Biology

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Thank you for the opportunity to participate in this proposed amendment. If I can be of assistance, please call or respond to this e-mail.

**Dave Perry** | South Coast Regional Representative  
Community Services Division | Coastal Services Center  
Oregon Dept. of Land Conservation and Development  
810 SW Alder Street, Suite B | Newport, OR 97365  
Office: (541) 574-1584 | Cell: (541) 270-3279 | Fax: (541) 574-4514  
[dave.perry@state.or.us](mailto:dave.perry@state.or.us) | [www.oregon.gov/LCD](http://www.oregon.gov/LCD)



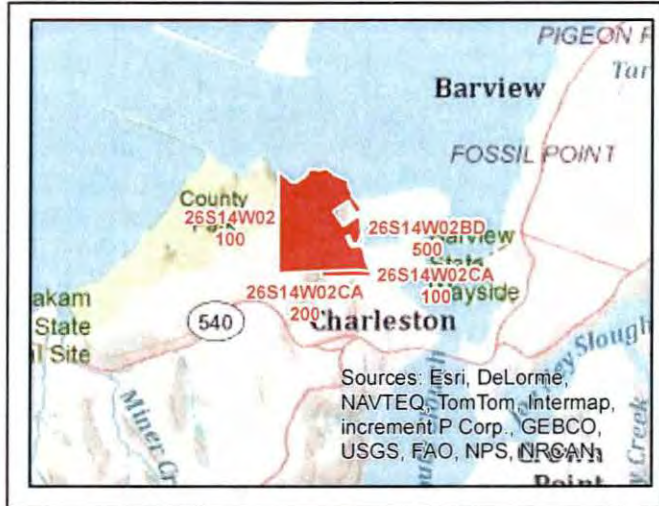
# COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423

Physical Address: 225 N. Adams, Coquille Oregon

Phone: (541) 396-7770

Fax: (541) 396-1022/TDD (800) 735-2900



|                      |   |
|----------------------|---|
| File:                | AM-13-01  |
| Applicant/<br>Owner: | Jamie Moffitt -VP Finance -UO<br>University of Oregon                 |
| Date:                | May 10, 2013  |
| Location:            | Township 26S Range 14W<br>Section 02/02BD/02CA<br>TL 100/500/100, 200 |
| Proposal:            | Rezone to Commerical (C-1)<br>and (Q-C-1)                             |





DEPT OF

JUN 24 2013

LAND CONSERVATION  
AND DEVELOPMENT



Coos County Planning Department  
250 N. Baxter Street  
Coquille, OR 97423

Plan Amendment Specialist  
Dept. Of Land Conservation & Development  
635 Capitol St NE Ste 150  
Salem, OR 97301

